

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

WP(C) No.594 of 2024

Kamei Khampu

... Petitioner

-Versus-

State of Manipur & 2 Ors

... Respondents

BEFORE

HON'BLE MR. JUSTICE A.GUNESHWAR SHARMA

24.6.2026

(O R A L)

Present Mr.Kh.Tarunkumar, learned senior counsel assisted by Ms.Maria, learned counsel for petitioner and Mr.Th.Sukumar, learned Government Advocate for State respondents.

[2] The petitioner, along with 15 others were appointed as District Program Manager in the State Health Mission Society under National Health Mission and petitioner was posted in Tamenglong District, Manipur and due to some reason service of the petitioner was terminated and during that time, State Government created 87 posts of different cadres in the Health Department including 15 (fifteen) posts of District Program Manager for 15 districts excluding Tamenglong and incumbents who were appointed along with the petitioner were all regularized.

[3] Since service of petitioner was terminated, there was no corresponding creation of post of District Program Manager for Tamenglong District and in the circumstance even if there was 16 Revenue Districts, only 15 posts of District Program Manager were created. Service of petitioner was reinstated but he is still working on contractual basis in the post of District Program Manager, Tamenglong. Accordingly petitioner prays for regularisation of his post by creating a post of District Program Manager, Tameglong and

regularise his service as done in case of 15 other similarly situated persons.

[4] The fact of the present case has already been recorded in orders dated 8.5.2026 and 22.5.2026 passed by this Court and the same are reproduced hereunder:

"08.05.2026

[1] Present Mr. Kh. Tarunkumar, learned sr. counsel assisted by Ms. Kh. Maria, learned counsel for the petitioner and Mr. Th. Sukumar, learned GA for the State respondents.

[2] The petitioner was earlier engaged as District Program Manager (DPM) on contractual basis vide agreement dated 01.12.2016; his contractual service has been extended from time to time and by various orders; and he has been posted from one district to another district. When he was posted as DPM in District Health Society, Tamenglong, he was served 2(two) with show cause notices for having nexus with some underground organizations and for dereliction of duties and his service was subsequently terminated by order dated 06.05.2020 on the same grounds without conducting any formal inquiry. Vide order dated 11.10.2022 passed by this Court in WP(C) No. 253 of 2020, the termination order dated 06.05.2020 was set-aside on the ground that the termination was stigmatic and without holding proper inquiry and directed the State respondents to re-engage the service of the petitioner. Accordingly, in compliance of the order dated 11.10.2022 passed by this Court in WP(C) No. 253 of 2020, the service of the petitioner was re-instated vide order dated 06.12.2022. It is submitted that when the service of the petitioner was under-termination, vide order dated 06.01.2022, State Govt. created 87 (eighty seven) different posts in the Health Department, Manipur, including 15(fifteen) posts for District Program Manager (DPM) and the services of the 15 DPMs, who were engaged along with petitioner were regularized. It is also submitted that since the service of the petitioner was terminated, the existing contractual 1(one) post of DPM in the office of CMO Tamenglong was not created on regular basis. It is also submitted that the petitioner is now working as DPM, Tamenglong on contractual basis, while the services of the 15 contractual posts in the remaining district have been regularized against 15 (fifteen) posts created by order dated 06.01.2022 issued by the State respondents. The Chief Medical Officer, Tamenglong sent a letter dated 01.03.2023 to the State Mission Director, State Health

Society, Manipur recommending regularization of the service of the petitioner and by another letter dated 29.08.2023, the State Mission Director, State Health Society, NHM, Manipur also proposed to the Commissioner (Health & FW), Govt. of Manipur inter-alia suggesting- (a) creation of 1(one) post of District Program Manager in Pay Level-9 under RoP, 2019 in the office of CMO Tamenglong and (b) regularization of contractual service of Shri Kamei Khampu currently working under District Health Society, NHM, Tamenglong against the proposed new post of District Program Manager in Pay Level-9 under RoP, 2019 in the office of CMO, Tamenglong.

[3] In the writ petition, the petitioner inter-alia prayed for regularization of his service as DPM for CMO, Tamenglong, as has been done in 15 newly created regular posts for the remaining 15 districts. In the counter affidavit, State respondents have not denied the requirement of regular post of DPM, Tamenglong. However, it is stated in 'para no. 10' of the affidavit-in-opposition of the respondent no. 1 that the regularization of service of the petitioner involves creation of 1(one) post and matter cannot be decided by the State Health Department alone and the matter has to be placed before the Department of Personnel, Govt. of Manipur and Finance Department (PIC), Govt. of Manipur and State Cabinet/Governor-in-Council for approval. In order dated 06.02.2026, this Court briefly recorded all these facts and at the request of the learned GA, 3(three) week's time was given for taking instructions.

[4] When the matter is taken up today, Mr. Th. Sukumar, learned GA further submits that he may be given some more time for taking instructions in terms of the direction in order dated 06.02.2026 passed by this Court.

[5] Another 2(two) week's time is granted to the learned GA for taking instructions in terms of the order dated 06.02.2026 passed by this Court.

[6] List this case on 22.05.2026."

"22.05.2026

[1] Present Mr. Kh. Tarunkumar, learned sr. counsel assisted by Ms. Kh. Maria, learned counsel for the petitioner and Mr. Th. Sukumar, learned GA for the State respondent.

[2] The matter relates to the direction for creating 1(one) post of District Program Manager (DPM) under the State Health Society, National Health Mission for Tamenglong District. Vide order dated 06.01.2022, State Government created 87(eighty seven) different posts in the Health Department, Manipur, including 15(fifteen) posts for

DPM for 15 districts and the existing 15 DPMs, who were engaged on contractual basis were regularized by the same order. Inadvertently, for the Tamenglong district, the post of DPM was not created on regular basis and as such, the petitioner who was/is also working as DPM, Tamenglong on contractual basis could not be regularized as done in the similarly situated persons who were initially engaged along with him.

[3] This Court has perused the materials on record and it is seen that vide letter dated 01.03.2023, the Chief Medical Officer, Tamenglong submitted recommendation for regularization of the service of petitioner as DPM, Tamenglong to the State Mission Director, State Health Society, NHM, Manipur and the State Mission Director has also submitted a proposal dated 29.08.2023 to the Commissioner (Health & FW), Govt. of Manipur inter-alia suggesting- (i) creation of 1(one) post of DPM for Tamenglong and (ii) regularization of the petitioner against the said post as done in similarly situated persons. No concrete action has been done for creation of regular post of DPM for Tamenglong and regularization for the petitioner against the said post. In the counter affidavit filed by the State respondent, it is stated in 'para no. 10' that the State Health Department alone cannot decide the matter for regularization of the service of the petitioner and the matter has to be placed before the State Cabinet after obtaining views of Department of Personnel, Govt. of Manipur and Finance Department (PIC), Govt. of Manipur. Vide order dated 06.02.2026, this Court granted 3(three) week's time to the learned GA for the State respondent for seeking necessary instructions with regard to the regularization of the service of the petitioner and the same was also recorded in order dated 08.05.2026. In terms of the order dated 06.02.2026, the learned GA has requested the Commissioner (Health & FW), Govt. of Manipur vide letter dated 10.02.2026 for necessary instructions and further with respect to order dated 08.05.2026, the learned GA also intimated Commissioner (Health & FW), Govt. of Manipur by a letter dated 08.05.2026 for instructions. In spite of the intimations, in terms of the earlier orders dated 06.02.2026 and 08.05.2026, no instructions have been furnished by the State Authority to learned Government Advocates till date.

[4] The learned GA prays for 2(two) more week's time for taking instructions and in absence of any instructions, this Court is not able to pass any concrete order.

[5] In the circumstances, 2(two) more week's time is granted to the learned GA for taking instruction. If instruction is not intimated to the learned GA by the next date, the Administrative Secretary of Health & Family

Welfare, Govt. of Manipur or any other competent officer of State Government shall present himself/herself before the Court for giving necessary instruction to the learned GA.

[6] List this case on 24.06.2026.

[7] Furnish a copy of this order to the learned GA for information."

[5] From materials on record, it is seen that State Health Department submitted proposal to the Administrative Department for creation of one post of District Program Manager, Tamenglong, Manipur, for absorption of petitioner to the new proposed post as done in the case of 15 other District Program Managers for other districts.

[6] State Government has been given time for taking instruction in this regard. Today, when the matter is taken up, Mr.Th.Sukumar, learned Government Advocate produced a letter dated 15.6.2026 sent to him by Deputy Secretary, Health & Family Welfare, Government of Manipur submitting that proposal of the Administrative Department is in the process of finalising before the Committee of Officers for creating a post of District Program Manager, Tamenglong, Manipur. The letter dated 15.6.2026 is taken on record and same is reproduced below"

"No.NHM-501/3/2024-HS-HEALTH

GOVERNMENT OF MANIPUR
SECRETARIAT: HEALTH DEPARTMENT

Imphal, the 15" June, 2026

To

Shri Th. Sukumar Singh
Additional Government Advocate (HC), Manipur.

Subject: WP(C) No.594 of 2024

Kamei Khampu -Vs- State of Manipur & Ors.

Sir,

In inviting a reference to your letter No.102/284(K)/2024-GA(C)/313/S dated 23*May, 2026 on the above subject, I am directed to state that this Government, vide letter dated 5th June, 2026 (Copy enclosed) had informed Joint Secretary (DP), Government of Manipur that the Hon'ble Court had sought information from the Government Counsel as to whether any instructions was received from the Department pursuant to the order dated 06/02/2026 of the Hon'ble Court.

Further, it was also informed that as per advice of DP, Health Department had submitted duly signed note for Committee of Officers for creation of one post of District Programme manager (DPM), Tamenglong District to Department of Personnel for placing the same before the Committee of Officers. The said file has not been returned to Health Department till date.

Further, Health Department vide letter dated 13th June, 2026 informed Department of Personnel that the matter was taken up for hearing on 22/05/2026 and Hon'ble Court was pleased to grant some more time to the State respondents for furnishing instructions before the next date failing which the Administrative Secretary of Health & Family Welfare, Government of Manipur or any other competent authority of State Government shall present himself/herself before the Court for giving necessary instruction. (Copy enclosed) and requested to expedite taking necessary action for placing before the Committee of Officers.

Therefore, it is requested to kindly place the above facts before the Hon'ble Court and submit that the Health Department is putting its best efforts towards the matter.

Encl: As above.

Yours faithfully,

Sd/-

(Loktongbam Leander)
Deputy Secretary (Health &FW)
Government of Manipur."

[7] This Court is of the view that writ petition can be disposed of at this stage by directing State authority to complete the process of creation of one regular post of District Program Officer, Tamenglong as proposed by the Administrative Department, within a period of three months from the date of receipt of a copy of this order and consider the case of petitioner for regularisation against the post so created, as done in the case of 15 similarly situated District Program Managers for other districts.

With this observation, the writ petition is disposed of.

JUDGE

Priyojit

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by RAJKUMAR
PRIYOJIT SINGH
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