



2026:MNHC:166

REPORTABLE

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

**WP(C) No. 905 of 2025
With
WP(C) No. 384 of 2026
With
MC(WP(C)) No. 407 of 2026
With
MC(WP(C)) No. 834 of 2025**

1. Smt. Shanta Keithellakpam, aged about 46 years, W/o. Urikhimbam Manadeva Singh of Wangkhei Konsam Leikai, P.O. & P.S. Porompat, Imphal East District, Manipur-795005.

... Petitioner/Applicant

- Versus -

1. The State of Manipur represented by the Principal Secretary/ Commissioner/ Secretary (Higher & Technical Education), Government of Manipur, office at Old Secretariat Building, Babupara, P.O. & P.S. Imphal, Imphal West, Manipur-795001;
2. The Joint Secretary (Hr. & Tech. Edn.), Government of Manipur, Office at New Secretariat Building, Babupara, P.O. & P.S. Imphal, Imphal West, Manipur-795001;
3. The Director of University & Higher Education, Government of Manipur, Office at Nityaipat Chuthek Near Raj Bhavan, P.O. & P.S. Imphal, Imphal West District, Manipur- 795001 and



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4. The Controller of Technical Education, Manipur and its Office at Government Polytechnic, Imphal Takyelpat, P.O. & P.S. Patsoi, Imphal West District, Manipur-795001.
5. Dr. Kharibam Jilenkumari Devi, aged about 41 years, W/o Dr. Okram Jotinkumar Singh, resident of Wangjing Heitupokpi Mamang Leikai, P.O. & P.S. Wangjing, District Thoubal, Manipur-795148.

... Respondents

**With
WP(C) No. 880 of 2025
With
WP(C) No. 523 of 2025
With
MC(WP(C)) No. 502 of 2025
With
MC(WP(C)) No. 760 of 2025
With
MC(WP(C)) No. 810 of 2025
With
MC(WP(C)) No. 870 of 2025**

1. Shri L. Meghachandra Singh, aged about 52 years, S/o L. Iboyaima Singh of Kongba Road, Singjamei Bheigyabati Leikai P.O. & P.S. Porompat, Imphal East District, Manipur, Pin- 795008;
2. Smt. Sandhyarani Loitongbam, aged about 45 years, D/o Loitongbam Mangi Singh of Thoubal Awang Leikai, P.O. & P.S. Thoubal, Manipur, Pin- 795138 and
3. Smt. Ajita Khundrakpam, aged about 44 years, C/o Thiyam Gambhir Singh of Khongman Zone-II West, P.O. & P.S. Singjamei, Imphal East District, Manipur, Pin- 795008.

... Petitioners/Applicants

- Versus -



1. The State of Manipur represented by the Chief Secretary/ the Principal Secretary/ Commissioner/ Secretary (Higher & Technical Education), Government of Manipur, Old Secretariat Building, Babupara, P.O. & P.S. Imphal, Imphal West, Manipur-795001;
2. The Joint Secretary (Hr. & Tech. Edn.), Government of Manipur, New Secretariat Building, Babupara, P.O. & P.S. Imphal, Imphal West, Manipur-795001;
3. The Director of University & Higher Education, Government of Manipur, Nityaipat Chuthek Near Raj Bhavan, P.O. & P.S. Imphal, Imphal West District, Manipur- 795001 and
4. The Controller of Technical Education, Manipur and its Office at Government Polytechnic, Imphal Takyelpat, P.O. & P.S. Patsoi, Imphal West District, Manipur.

... Respondents

**With
MC(WP(C)) No. 388 of 2026
[in WP(C) No. 905 of 2025]**

1. Dr. Kharibam Jilenkumari Devi, aged about 41 years, W/o Dr. Okram Jotinkumar Singh, resident of Wangjing Heitupokpi Mamang Leikai, P.O. & P.S. Wangjing, District Thoubal, Manipur-795148.

... Applicant

- Versus -

1. Smt. Shanta Keithellakpam, aged about 46 years, W/o. Urikhimbam Manadeva Singh of Wangkhei Konsam Leikai, P.O. & P.S. Porompat, Imphal East District, Manipur-795005.

... Principal Respondent



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2. The State of Manipur represented by the Principal Secretary/ Commissioner/ Secretary (Higher & Technical Education), Government of Manipur, office at Old Secretariat Building, Babupara, P.O. & P.S. Imphal, Imphal West, Manipur-795001;
3. The Joint Secretary (Hr. & Tech. Edn.), Government of Manipur, Office at New Secretariat Building, Babupara, P.O. & P.S. Imphal, Imphal West, Manipur-795001;
4. The Director of University & Higher Education, Government of Manipur, Office at Nityaipat Chuthek Near Raj Bhavan, P.O. & P.S. Imphal, Imphal West District, Manipur- 795001 and
5. The Controller of Technical Education, Manipur and its Office at Government Polytechnic, Imphal Takyelpat, P.O. & P.S. Patsoi, Imphal West District, Manipur-795001.

... Official Respondents

B E F O R E

HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

For the petitioners : Mr. M. Rendy, Adv. & Ms. Gunapriya, Adv.
[in WP(C) Nos. 905 of 2025 & 384 of 2026], Mr. Ng. Jotindra Luwang, Adv. & Ms. W. Geetarani, Adv. [in WP(C) Nos. 523 of 2025 & 880 of 2025].

For the respondents : Mr. M. Devananda, Addl. AG & Ms. N. Jyotsana, Adv. [for State], Mr. Kh. Tarunkumar, Sr. Adv., Mr. Jamon, Adv. & Mr. Rustam, Adv. [respondent no. 5 in WP(C) No. 905 of 2025]

Date of reserved : 18.07.2026

Date of Judgement : **12.08.2026**

JUDGEMENT & ORDER
(CAV)

[1] Present Mr. M. Rendy, learned counsel along with Ms. Gunapriya, learned counsel and Mr. Ng. Jotindra Luwang, learned counsel along with Ms. W. Geetarani, learned counsel on behalf of the writ petitioners; Mr. M. Devananda, learned Addl. Advocate General assisted by Ms. N. Jyotsana, learned counsel on behalf of the State respondents; and Mr. Kh. Tarunkumar, learned sr. counsel assisted by Mr. Jamon, learned counsel and Mr. Rustam, learned counsel for the respondent no. 5 in WP(C) No. 905 of 2025.

[2] WP(C) No. 523 of 2025 is also filed by the same 3 writ petitioners in WP(C) No. 880 of 2025 with the following prayers:

- (i) to issue a writ in the nature of certiorari or any other appropriate writ, orders or quashing the impugned letter dated 15.05.2025 (**Annexure-A/25**) of the Joint Secretary (Hr. &Tech. Edn.), Government of Manipur as arbitrary, malafide and unconstitutional;
- (ii) to issue a writ in the nature of mandamus or any other appropriate writ, orders or directions directing the respondents to regularize of the service of the petitioners as
Lecturer in Government Polytechnic, Imphal forthwith as was done in case of similarly situated persons;
- (iii) to direct the respondents for payment of due remuneration for working as Guest Lecturer in their respective faculty(s) at the Government Polytechnic, Imphal for the period from 02.03.2022 till date.



- (iv) to pass an interim order directing the respondents not to oust the petitioners from their service during the pendency of the writ petition;
- (v) to pass an interim order directing the respondents to release the remuneration due to the petitioners for the period from 02.03.2022 till date;
- (vi) to suspend the operation of the impugned letter dated 15.05.2025(**Annexure-A/25**) issued by the Joint Secretary (Hr. & Tech. Edn.), Government of Manipur during the pendency of the writ petition;
- (vii) to direct the respondents for heavy costs and;
- (viii) to pass any further order or orders as the Hon'ble High Court may seem fit and proper for the ends of justice and equity.

[3] WP(C) No. 880 of 2025 is filed by the 3 writ petitioners, who are Guest Lecturers [2 Guest Lecturers in Pharmacy and 1 in Mathematics] for quashing the impugned letter dated 21.09.2025 issued by the Joint Secretary (Hr. & Tech. Edn.), Govt. of Manipur and the impugned notification dated 31.10.2025 issued by the Controller of Technical Education, Manipur and the prayer is reproduced below:

- (i) to issue a writ in the nature of certiorari or any other appropriate writ, orders or quashing the impugned letter dated 21.09.2025(**Annexure-A/28**) issued by the Joint Secretary (Hr. & Tech. Edn.), Government of Manipur and the impugned notification dated 31.10.2025 (**Annexure-A/30**) issued by the Controller of Technical Education, Manipur to the extent of the petitioners as arbitrary, malafide and unconstitutional;



- (ii) to pass an interim order directing the respondents not to fill up one post of Lecturer (Mathematics) and two posts of Lecturers (Pharmacy) against the vacancies notified in impugned notification dated 31.10.2025 (**Annexure-A/30**) during the pendency of the writ petition;
- (iii) to suspend the operation of the impugned letter dated 21.09.2025(**Annexure-A/28**) issued by the Joint Secretary (Hr. & Tech. Edn.), Government of Manipur and the impugned notification dated 31.10.2025 (**Annexure-A/30**) issued by the Controller of Technical Education, Manipur to the extent of the petitioners during the pendency of the writ petition;
- (iv) to direct the respondents for heavy costs and;
- (v) to pass any further order or orders as the Hon'ble High Court may seem fit and proper for the ends of justice and equity.

[4] The petitioner, who is a Guest Lecturer in Electronics & Communication Engineering filed the WP(C) No. 905 of 2025 under Article 226 of the Constitution of India inter-alia praying for setting aside the impugned letter dated 21.09.2025 issued by the Joint Secretary (Hr. & Tech. Education), Govt. of Manipur; any consequential action, notification, letter pursuant to impugned letter dated 21.09.2025; and to set-aside the impugned notification dated 31.10.2025 issued by the Controller of Technical Education, Manipur in respect of sl. no. 4 Lecturer (Electronics & Communication Engineering). The prayer of the petitioner is reproduced below:

- (i) To admit the present writ petition.



- (ii) To issue rule nisi calling upon the respondent to show cause as to why prayer made by the petitioners shall not be granted in the facts and circumstances of the present petition.
- (iii) To issue a writ in the nature of Certiorari/ Mandamus or any other appropriate writ / orders / directions to quash and set aside the impugned letter dated 21.09.2025 (**ANNEXURE-A/27**) issued by the Joint Secretary (Hr. & Tech. Edn.), Government of Manipur and any consequential action, notification, letter pursuant to impugned letter dated 21.09.2025, in view of the facts and circumstances of the present petition.
- (iv) To issue a writ in the nature of Certiorari/ Mandamus or any other appropriate writ / orders / directions to quash and set aside the impugned notification dated 31.10.2025 (**ANNEXURE-A/28**) issued by the Controller of Technical Education, Manipur in respect of Sl. No. 4 (Lecturer, Electronics & Communication Engineering) and any consequential action, notification, letter pursuant to impugned Notification dated 31.10.2025, in view of the facts and circumstances of the present petition.
- (v) If no cause is shown or insufficient cause is shown, make the rule absolute.
- (vi) To call for the entire relevant records.
- (vii) To pass any order/ writ/ directions which the Hon'ble Court deem fit and proper in the facts and circumstances of the present case.



[5] WP(C) No. 384 of 2026 is also filed by the same petitioner in WP(C) No. 905 of 2025 under Article 226 of the Constitution of India inter-alia praying for setting aside the impugned letter dated 15.05.2025 issued by the Joint Secretary (Hr. & Tech. Education), Govt. of Manipur; any consequential action, notification, letter pursuant to impugned letter dated 15.05.2025; and the prayer of the petitioner is reproduced below:

- (i) To admit the present writ petition.
- (ii) To issue rule nisi calling upon the respondent to show cause as to why prayer made by the petitioners shall not be granted in the facts and circumstances of the present petition.
- (iii) To issue a writ in the nature of Certiorari/ Mandamus or any other appropriate writ / orders / directions to quash and set aside the impugned letter dated 15.05.2025 (**ANNEXURE-A/27**) issued by the Joint Secretary (Hr. & Tech. Edn.), Government of Manipur and any consequential action, notification, letter pursuant to impugned letter dated 15.05.2025, in view of the facts and circumstances of the present petition.
- (iv) If no cause is shown or insufficient cause is shown, make the rule absolute.
- (v) To call for the entire relevant records.
- (vi) To pass any order/ writ/ directions which the Hon'ble Court deem fit and proper in the facts and circumstances of the present case.

[6] MC(WP(C)) No. 407 of 2026 is filed in WP(C) No. 384 of 2026 for stayed of the letter dated 15.05.2025; MC(WP(C)) No. 834 of 2025 is filed in WP(C) No. 905 of 2025 for passing interim order/stay of the



appointment of 1 Guest Lecturer in Electronics & Communication Engineering or not to fill up; MC(WP(C)) No. 502 of 2025 is filed in WP(C) No. 523 of 2025 for passing interim order for releasing remuneration to the petitioner for the period from 02.03.2022 till date and stay of letter dated 15.05.2025; MC(WP(C)) No. 760 of 2025 is filed in WP(C) No. 523 of 2025 for not to fill up 1 post of Guest Lecturer in Mathematics and 2 posts of Guest Lecturer in Pharmacy; MC(WP(C)) No. 810 of 2025 is filed in WP(C) No.880 of 2025 for passing interim order for not to fill up 1 post of Guest Lecturer in Mathematics and 2 posts of Guest Lecturer in Pharmacy; MC(WP(C)) No. 870 of 2025 is filed in WP(C) No. 523 of 2025 for passing interim order and MC(WP(C)) No. 301 of 2026 is filed in WP(C) No. 905 of 2025 for impleadment of respondent no. 5; and MC(WP(C)) No. 301 of 2026 is allowed and disposed of by this Court on 18.05.2026 by impleading the applicant (Dr. Kharibam Jilenkumari Devi) as respondent no. 5 in WP(C) No. 905 of 2025.

Brief facts common in all writ petitions are as follow:

[7] An advertisement dated 13.02.2008 was issued by the Controller of Technical Education, Manipur inviting applications from interested candidates for engagement of Guest Lecturers in Civil Engineering, Electronics Engineering, Pharmacy and Mathematics in the Government Polytechnics, Imphal and the petitioners in this batch of writ petitions applied for the said posts of Guest Lecturers. Vide order dated 15.07.2008, the petitioners were appointed as Guest Lecturers in Govt. Polytechnics, Imphal for a period of 6(six) months with effect from the date of joining. Thereafter, the service of the petitioners was extended from time to time till 28.02.2022 by various Government convey letters dated 30.08.2012, 11.02.2014, 19.01.2015, 19.07.2016, 05.10.2016, 05.10.2017, 25.10.2018, 08.03.2019, 05.01.2021 & 24.05.2022. Letter



dated 03.06.2022 was sent by the Controller of Technical Education, Manipur to the Commissioner (Hr. & Technical Education), Govt. of Manipur for extension of 4(four) Guest Lecturers [4 writ petitioners herein i.e. 3 petitioners in WP(C) Nos. 523 of 2025, 880 of 2025 & 1 petitioner in WP(C) No. 905 of 2025 & 384 of 2026] of the Govt. Polytechnic, Imphal. It is stated that in case of similarly situated persons, who are working as Guest Lecturers in several Government Colleges, their services were extended from time to time in a similar manner to that of the present writ petitioners and subsequently their service were regularized. For instance, vide letter dated 26.09.2016 was issued by the Deputy Secretary (Hr. & Tech. Edn.), Manipur to the Director of University & Higher Education, Manipur conveying the Govt. approval for extension/re-engagement of service of 49 (forty-nine) Guest Lecturers in Govt. College for 1(one) year and their service were regularized by order dated 07.01.2022 of the Commissioner (Hr. & Tech. Edn.), Manipur. As such, it is submitted that the petitioners are also entitled to receive the similar benefits as granted to the similarly situated persons in order dated 07.01.2022. It may be mentioned that the petitioners have approached the authorities concerned several times by submitting various representations dated 20.12.2020, 11.08.2023 and 10.09.2025 for regularization of their service as done in the similarly situated persons and the authorities did not consider their case.

[8] It may be relevant to refer to a letter dated 24.02.2025 written by the Controller of Technical Education, Manipur to the Commissioner (Higher & Technical Education), Manipur requesting to extend the service of 4 Guest Lecturers (4 writ petitioners in this batch of writ petitions) for another 3 years for the period from 02.03.2022 to 28.02.2025 with retrospective effect. It may be noted that the last



extension of the 4 writ petitioners was vide letter dated 24.05.2022 for a period from 02.03.2021 to 28.02.2022. It may be noted that the 1 year extension since the initial appointment in the year 2008, was done by making one day gap in between each successive order. The proposal in the letter dated 24.02.2025 of the Controller of Technical Education, Manipur was returned by the Joint Secretary (Higher & Technical Education), Manipur by a letter dated 27.03.2025 instructing to make the proposal for extension of 1 year each by keeping one day gap each and also to mention about the requirement for the next 4 years i.e. 02.03.2022 to 28.02.2026. Thereafter, Controller of Technical Education, Manipur submitted another letter dated 28.04.2025 to the Commissioner (Higher & Technical Education), Manipur for extension of the tenure of the 4 Guest Lecturers (writ petitioners herein) for a period of 4 years by keeping one day gap in between two orders. The request made by the Controller of Technical Education, Manipur by each letter dated 24.02.2025 was received by the Administrative Department, Govt. of Manipur and the earlier proposal for engagement of Guest Lecturers awaiting direct recruitment will be reviewed. A letter dated 15.05.2025 issued by Joint Secretary, Higher & Technical Education, Manipur rejecting the proposal for 3 years extension of the 4 Guest Lecturers (writ petitioners herein) for the period from 02.03.2022 to 28.02.2025, has been challenged before this Court in WP(C) No. 384 of 2026 & WP(C) No. 523 of 2025 by the 4 Guest Lecturers. Thereafter, Joint Secretary, Higher & Technical Education, Manipur issued another letter dated 21.09.2025 to the Controller of Technical Education, Manipur for engagement of 25 Guest Lecturers in Govt. Polytechnic, Takyel with remuneration of Rs. 580/- per lecture, subject to a maximum of Rs. 21,000/- in a month for Guest Lecturer with Bachelor's Degree and Rs.600/- per lecture, subject to a maximum of Rs.21,600/- in a month for Guest Lecturer with Master's



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Degree. The list of 25 Guest Lecturers also includes Electronics & Communication Engineering subject seen at sl. No. 4, Pharmacy at sl. no. 5 & Mathematics at sl. no. 7 in the Annexure-I of letter dated 21.09.2025. The scanned copy of letter dated 21.09.2025 is reproduced herein below:

F/No. TE-101/5/2025-HTE-DHTE
GOVERNMENT OF MANIPUR
SECRETARIAT: HIGHER & TECHNICAL EDUCATION DEPARTMENT

Imphal, 21st September, 2025

To,
Controller of Technical Education
Manipur

Subject: Engagement of 25 (twenty-five) Guest Lecturers in Government Polytechnic, Takyel-
reg.
Reference: File N. 4/50/2006-CTE/466 dated 29th April, 2025.

Sir,

In inviting a reference to the above subject, I am directed to convey approval of the Government for empanelment of persons for subsequent engagement as Guest Lecturers for different subjects (Annexure-I) in Government Polytechnic, as per requirement, at the following rates of remuneration:

Sl. No.	Particulars	Details of qualification at Entry Level	Rate of remuneration
1	Remuneration of Guest Lecturers in Government Polytechnic	With Bachelor's Degree	Rs.980 per lecture, subject to a maximum of Rs.21,600/- in a month
		With Master's Degree	Rs.680 per lecture, subject to a maximum of Rs.21,600/- in a month

2. This has reference to FD(PIC) Office Memorandum No.37/1/2010-FD(PIC)(Pt-XIV) dated 30/12/2015.

3. You are further requested to submit the following for approval by Government in this regard:

3.1 Eligibility of candidates for empanelment
3.2 Mode of examination / assessment for empanelment (Interview, mark basis, written test, etc.)
3.3 Constitution of Selection Committee

Enclosed: Annexure-I

True Cop
Yours faithfully,
Advocate

copy
ate

TRUE COPY

21/09/25
(Dr. David Elangbam)
Joint Secretary (Hr. & Tech. Edn.)
Government of Manipur

Copy to:

1. Secretary to Governor, Manipur
2. Staff Officer to Chief Secretary, Government of Manipur
3. PS to the Commissioner & Secretary (Hr. & Tech. Edn.), Government of Manipur
4. File concerned.



[9] In pursuance to the direction in the letter dated 21.09.2025 of the Administrative Department, the Controller of Technical Education, Manipur issued a notification dated 31.10.2025 calling for application from intending candidates for engagement as Guest Lecturers, purely on temporary basis in Govt. Polytechnic College for 25 posts in 10 subjects, including the 4 subjects mentioned above and the minimum eligibility criteria as per AICTE Regulations, adopted by the Department of Higher & Technical Education, Govt. of Manipur and the mode of selection will be 100 marks test, consisting of 70 marks MCQs followed by a viva-voce of 30 marks. The letter dated 21.09.2025 issued by Administrative Department to the Controller of Technical Education, Manipur for engagement of 25 Guest Lecturers in 10 subjects and the notification dated 31.10.2025 issued by Controller of Technical Education, Manipur for engagement of 25 posts as Guest Lecturers, have challenged before this Court in WP(C) Nos. 880 of 2025 & 905 of 2025.

[10] The learned counsel for the petitioners submit that the petitioners have been duly appointed after a proper advertisement in the year 2008 as Guest Lecturers and their service has been extended from time to time till 28.02.2022, as the college is satisfied with their performances. Even though there is no formal extension of their service post 28.02.2022, they have been discharging their duties as Guest Lecturers till today anticipating the ex post facto approval as done in past. It is pointed out that in earlier occasion by letter dated 30.08.2012, the service of the Guest Lecturers were extended from the period of 2009 to 2013 in bulk as post facto and in the present case also by letters dated 24.02.2025 & 28.04.2025, the Controller of Technical Education, Manipur submitted a proposal to the Commissioner, Higher & Technical Education, Manipur for ex post facto extension of the Guest Lecturers of the 4 writ



petitioners for the period from 02.03.2022 to 28.02.2026. The learned counsel for the petitioners also refers to the Additional Affidavit filed in this batch of writ petitions where; they have been engaged by order dated 12.01.2026 issued by the Principal of Govt. Polytechnic College. It is the common case of the writ petitioners that the Guest Lecturers/contract employees cannot be substituted by another set of Guest Lecturers/contract employees, when such Guest Lecturers are discharging duty without any complaint for the period more than 17 years. It is also pointed out that the petitioners have been appointed after following due process by open advertisement against the sanctioned posts and as such, they cannot be substituted by another set of Guest Lecturers/contract employees.

[11] Mr. M. Rendy, learned counsel for the petitioner refers to the wording used in the appointment letter especially order dated 15.07.2008 appointing Smt. Shanta Keithellakpam [petitioner in WP(C) Nos. 905 of 2025 & 384 of 2026] that her appointment is by way of contract agreement; as such the so-called engagement of Guest Lecturers is nothing but appointment of the petitioner as Lecturer on contract basis in Govt. Polytechnic, College. He refers to the decisions of Hon'ble Supreme Court reported in **AIR 1989 SCC 1431** para nos. 5, 6 & 7 and Judgement dated 30.08.2023 passed by Hon'ble Supreme Court in **Civil Appeal No. 5876 of 2022**. It is his submissions that there is no termination order of the writ petitioners and no reason is given in the impugned letter dated 15.05.2025 regarding the request for extension of Guest Lectureship of the 4 writ petitioners submitted by the Controller of Technical Education, Manipur vide letter dated 28.04.2025. In order to buttress his submission that a temporary employee cannot be replaced by another temporary



employee, the learned counsel for the petitioner refers the following case laws:

1. *Order dated 21.04.2022 passed in **Civil Appeal No. 3084-3088 of 2022.***
2. ***(2007) 13 SCC 293** para 2 & 3*
3. ***(1992) 4 SCC 118** para 45 to 47*
4. ***AIR 1996 SCC 1565** para 5*
5. ***2023 SCC Online Kerala 913***

[12] It is also submitted that the petitioner having worked satisfactorily for a period of 17 years, she has legitimate expectation to hold the post until regular appointment is made and for her regularization.

[13] Mr. Ng. Jotindra Luwang, learned counsel for the petitioners in WP(C) Nos. 523 of 2025 and 880 of 2025 adopts the submission of Mr. M. Rendy, learned counsel for the petitioners in WP(C) No. 905 of 2025 & 384 of 2026. It is submitted that the petitioners have been appointed in the year 2008 by an open advertisement and having worked for continuous 17 years without any intervention from court, they are entitled for regularization in terms of the Hon'ble Supreme Court decisions in the case of "**Secretary, State of Karnataka vs. Uma Devi**" reported in **(2006) 4 SCC 1 (para 53)**. The learned counsel for the petitioners further refers to the decisions of (i) "**Hargurpratap Singh vs. State of Panjab & Ors.**" reported in **(2007) 13 SCC 292 Para 3** and (ii) "**Amrinder Kaur vs. State of Punjab and Ors.**" reported in **(2016) SCC Online P&H 7383**. It is submitted that in spite of interim order protecting status quo as on date in order dated 17.07.2025 passed by this Court in WP(C) No. 523 of 2025, the respondents have proceeded and conducted the examination. Hence, the subsequent letter dated 21.09.2025 issued by



Administrative Department and notification dated 31.10.2025 issued by Controller of Technical Education, Manipur for engagement of 25 Guest Lecturers in 10 subjects including the posts hold by the writ petitioners, are liable to be set aside; as the same are issued in violation of the interim order of the status quo. By an order dated 18.11.2025 in WP(C) No. 905 of 2025, this Court directed the respondents not to fill up 1 post of Lecturer in Electronics & Communication Engineering without leave of this Court and by a similar order dated 07.11.2025 in WP(C) No.880 of 2025, this Court also passed an interim order directing the respondents not to fill up 1 post of Lecturer in Mathematics and 2 posts of Lecturer in Pharmacy till next date. All the interim orders have been extended from time to time and are operating till date.

[14] Mr. M. Devananda, learned Addl. AG appearing on behalf of the State respondents submitted that the 4 writ petitioners involved the same issues regarding extension of their service of Guest Lecturers and engagement of their service. The appointment of the petitioners as Guest Lecturer in the year, 2008 and subsequent extension was purely on temporary basis and time bound, and without any assurance of continuity or regularization. The extension was given as per requirement for engagement of Guest Lecturers in Govt. Polytechnic College from time to time due to shortage of teaching faculty. He further pointed out that no enforceable right arises merely from continuous engagement or in absence of adverse remark. Hence, reliance on the provisions of Article 14, 16, 21, 23 & 43 is misplaced in absence of any legal entitlement to regularization and the decisions cited by the petitioners are not applicable in the facts of the present cases. It is submitted that the original notice dated 13.02.2008 issued by Controller of Technical Education, Manipur for engagement of Guest Lecturers in Govt. Polytechnic College, was not against any



sanctioned post and the procedure for recruitment of Lecturers on regular basis was not followed. The extension was necessitated keeping in mind the acute shortage of teaching faculty in the Govt. Polytechnic College. The learned Addl. AG has further highlighted that the decision in the case of **Uma Devi (supra)** will not be applicable in the present case, as the petitioners were not appointed against sanctioned posts and without following due process of examination. They were appointed on the basis of mere screening of the applications and documents. The learned Addl. AG further pointed out that the letter dated 21.09.2025 issued by Higher & Technical Education, Manipur to the Controller of Technical Education, Manipur for engagement of 25 Guest Lecturers in 10 subjects on daily remuneration is as per AICTE Regulations adopted by the Department of Higher & Technical Education, Govt. of Manipur and the mode of selection shall be 100 marks consisting of written examination (70 marks MCQs followed by a viva-voce of 30 marks). It is highlighted that this new criteria as per AICTE norm was absent in the earlier notification dated 13.02.2008 by which the petitioners were appointed. In the notification dated 31.10.2025, there is no age limitation; and the petitioner could have applied. Regarding the interim order passed by this Court on 17.07.2025 in WP(C) No. 523 of 2025, it is clarified that the same was just an order of status quo as on that day and the relevant para no. 8 of the order dated 17.07.2025 reads as follow:

"[8] In the meantime and till the next date status quo as on today shall be maintained in respect of the present application."

[15] The learned Addl. AG has explained that status quo on the day of passing of the order on 17.07.2025, it is admitted fact that service of the petitioners was no longer extended and the last extension expired



on 28.02.2022. Hence, the status quo order reinforced the stand of the respondents that the petitioners are no longer in the service of the Govt. Polytechnic College as Guest Lecturers. Learned Addl. AG has pointed out that taking classes post 28.02.2022 is simply on anticipation of post facto extension; and the same was denied by letter dated 15.05.2025 issued by Joint Secretary, Higher & Technical Education, Manipur. Any further process of engagement of the 25 Guest Lecturers, in terms of the letter dated 21.09.2025 issued by Joint Secretary, Higher & Technical Education, Manipur and notification dated 31.10.2025 issued by Controller of Technical Education, Manipur, does not violate the interim order dated 17.07.2025.

[16] Mr. Kh. Tarunkumar, learned sr. counsel appearing on behalf of newly impleaded respondent no. 5 [Dr. Kharibam Jilenkumari Devi in WP(C) No. 905 of 2025, vide order dated 18.05.2026 passed by this Court in MC(WP(C)) No. 301 of 2026] has also submitted that respondent no. 5 was not originally impleaded in WP(C) No. 905 of 2025. She is appointed on the basis of notification dated 31.10.2025 and her name is included at sl. no. 2 of the selected merit list of the candidates for appointment of Guest Lecturers in Electronics & Communication Engineering subject. The respondent no. 5 filed an application being MC(WP(C)) No. 388 of 2026 in WP(C) No. 905 of 2025 for vacation/modification of the interim order dated 18.11.2025 passed by this Court in WP(C) No. 905 of 2025. It is submitted that the name of the respondent No.5 was included in order dated 02.01.2026 issued by Controller of Technical Education, Manipur where, list of candidates in 11 subjects were shortlisted for engagement for the period of 1 year as Guest Lecturers and the name of the respondent no. 5 is at sl. no. 2 in Electronics & Communication Engineering subject. In the notification dated 31.10.2025 issued by Controller of Technical Education,



Manipur, 2 posts were advertised for the subject of Electronics & Communication Engineering, 4 posts for Pharmacy and 2 posts for Mathematics for engagement as Guest Lecturer. By the interim order dated 17.07.2025 in WP(C) No. 523 of 2025, status quo was directed and by an order dated 18.11.2025 in WP(C) No. 905 of 2025, this Court directed the respondent not to fill up 1 post of Lecturer in Electronics & Communication Engineering subject without leave of this Court. In the circumstances, the respondent No.5, who is at sl. no. 2 in the merit list of Electronics & Communication Engineering subject in terms of the notification dated 31.08.2025, could not be appointed even though, she was included at sl. no. 2. It is pointed out that the interim order was passed without impleading respondent no. 5 as party in WP(C) No. 905 of 2025. Respondent no. 5 filed an application being MC(WP(C)) No. 301 of 2026 in WP(C) No. 905 of 2025 for impleading her as respondent no. 5. It is pointed out that the petitioner in WP(C) No. 905 of 2025 and other petitioners in WP(C) No. 523 of 2025 are not in the service of the Govt. Polytechnic as their last extension expired on 28.02.2022 and the same has not been extended. The proposal of the Controller of Technical Education, Manipur vide its letter dated 24.02.2025 for 3 years post facto extension from 02.03.2025 to 28.02.2025 was rejected by the Administrative Department vide letter dated 15.05.2025. It is pointed out that without challenging the letter dated 15.05.2025 rejecting the proposal for extension of the tenure of the Guest Lecturers of the petitioners for 3 years, WP(C) No. 905 of 2025 was filed. The petitioners could not have asked the prayer for stay of the appointment, as they are no longer in service of the respondents. It is also pointed out that after taking the plea of non-maintainability as the petitioner failed to challenge the letter dated 15.05.2025 rejecting her extension, the petitioner subsequently filed another writ petition being WP(C) No. 384 of 2026 challenging the letter



dated 15.05.2025 of the Administrative Department rejecting the proposal of the Controller of Technical Education, Manipur for extension of the tenure of the 4 Guest Lecturers (Petitioners herein) with post facto effect for 3 years. It is also submitted that subsequent WP(C) No. 384 of 2026 is also not maintainable. It is urged that the interim order be vacated and respondent no. 5 be permitted to join in terms of the result/order dated 02.01.2026 issued by Controller of Technical Education, Manipur. The petitioner in WP(C) No. 905 of 2025 also filed an objection to the MC(WP(C)) No. 388 of 2026 filed by respondent no. 5 reiterating the stand taken in the writ petition; stated that respondent no. 5 should have filed an independent writ petition for a direction for her appointment; and the application is not maintainable. The learned sr. counsel for the respondent no. 5 refers to the decisions of Hon'ble Supreme Court in the case of **"Shiv Kumar Sharma vs. Santosh Kumari"** reported in **(2007) 8 SCC 600** to the proposition that what cannot be done directly should not be done indirectly (para 21 & 22). It is pointed out that the petitioner failed to challenge the letter dated 15.05.2025 issued by Joint Secretary, Higher & Technical Education, Manipur rejecting the request for extension of the tenure of the 4 Guest Lecturers (petitioners herein) and having failed to challenge the letter dated 15.05.2025, she cannot challenge the subsequent notification dated 31.10.2025 inviting application for engagement of 25 Guest Lecturers in 10 different subjects. Regarding the plea of the absence of termination order for the petitioners, it is pointed out that in a tenure-post there is no requirement of termination letter, as the engagement of the petitioners will automatically expire on the maturity of the initial period and also the extended period. The proposition that service of adhoc/contract employee cannot be replaced by another contract/adhoc employee will not be applicable in the present case, as the Guest Lecturers cannot be termed as temporary employees; and they are



getting honorarium per lecture and not on monthly basis. It is further pointed out that the decisions cited for regularization will not be applicable in the present case, as the service of the petitioner has not been extended beyond 28.02.2022. The learned sr. counsel refers to the decision of Hon'ble Supreme Court in the case of "**U.P. State Electricity Board vs. Pooran Chandra Pandey and others**" reported in **(2007) 11 SCC 92** to the point that the decision is an authority for what is actually decides, and a little difference in facts or additional facts may make a lot of difference in the precedential value of a decision. Since respondent no. 5 was duly selected after recruitment test in terms of the advertisement, she is entitled to be appointed as Guest Lecturer.

POINTS FOR DETERMINATION:

[17] The points for determination involved in the present cases are:

- (i) Whether the Guest Lecturer engaged in terms of the initial notification dated 13.02.2008 is an engagement against the sanctioned post? or,
- (ii) Whether the petitioners were engaged in terms of notice dated 13.02.2008 issued by Controller of Technical Education, Manipur as stop gap arrangement?; &
- (iii) Whether the principle of contract/adhoc appointment cannot be replaced by another set of contract/adhoc employee will be applicable in the present case or not?

[18] Before proceeding further, it will be relevant to enumerate the admitted and undisputed facts in the present cases:



- (i) Notice dated 13.02.2008 was issued by Controller of Technical Education, Manipur inviting Guest Lecturers of Electronics & Communication Engineering, Pharmacy & Mathematics in Govt. Polytechnic College and in terms of the notification the 4 writ petitioners and others were appointed for a period of 6 months.
- (ii) Vide letter dated 30.08.2012 issued by Under Secretary, Technical Education, Manipur that service of 7 Guest Lecturers was extended with retrospective effect from the period 18.01.2009 to 28.02.2013.
- (iii) By another letter dated 11.02.2014 of the Administrative Department, the service of the 7 Guest Lecturers were extended for another period of 1 years from 02.03.2013 to 28.02.2014 and ultimately, the last extension for 4 Guest Lecturer was vide letter dated 24.05.2022 for period from 02.03.2021 to 28.02.2022. In the last extension of 4 Guest Lecturers are 4 writ petitioners herein. It may be noted that in every extension, there is a gap of 1 day and petitioners are re-engaged from the second of March of the corresponding years by giving a gap of one day i.e. 1st March of the year, out of the extension.
- (iv) It is the case of the writ petitioners that in spite of formal non-extension after 28.02.2022, they have been discharging their duties as Guest Lecturers in Govt. Polytechnic College till date. In this respect, photocopy of the attendance register has been filed by the petitioner by way of an additional affidavit.



- (v) By a letter dated 24.02.2025 written by the Controller of Technical Education, Manipur to the Commissioner, Higher & Technical Education, Manipur a request was made for extension of the service of the 4 Guest Lecturers (petitioners herein) for a period of 3 years w.e.f. 02.03.2022 to 28.02.2025.
- (vi) The request for 3 years post facto extension for engagement of 4 Guest Lecturers was rejected by the Joint Secretary, Higher & Technical Education, Manipur by a letter dated 15.05.2025 to the Controller of Technical Education, Manipur. It is alleged that in spite of rejection of the extension of the engagement of 4 Guest Lecturers, by various orders issued by the Principal and other Authorities, the petitioners are still working in Govt. Polytechnic College. It may be noted that there is no approval of engagement of the 4 Guest Lecturers, post 28.02.2025 from the Administrative Department.

[19] In these 4 writ petitions, (i) letter dated 15.05.2025 rejecting the extension of the engagement of 4 Guest Lecturers; (ii) letter dated 21.09.2025 issued by Joint Secretary, Higher & Technical Education, Manipur to the Controller of Technical Education, Manipur informing to engage 25 Guest Lecturers in 10 subjects of Govt. Polytechnic College; and (iii) notification dated 31.10.2025 issued by the Controller of Technical Education, Manipur issuing notification for engagement of 25 Guest Lecturers in Govt. Polytechnic College including 2 posts in Electronics & Communication Engineering, 4 in Pharmacy & 2 in Mathematics, are challenged. Interim order dated 17.07.2025 was passed by this Court in WP(C) No. 523 of 2025 for maintaining status quo as on that day; interim



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order dated 07.11.2025 was passed in WP(C) No. 880 of 2025 restraining the respondents not to fill up 1 post of Mathematics and 2 posts of Pharmacy without leave of this Court and interim order dated 18.11.2025 was passed in WP(C) No. 905 of 2025 for not to fill up 1 post of Guest Lecturer in Electronics & Communication Engineering without leave of this Court. The interim order dated 18.11.2025 restraining from filling up 1 post of Guest Lecturer in Electronics & Communication Engineering was passed without impleading the respondent no. 5, who was selected at sl. no. 2 for the post graduate in the same subject.

[20] Interim order in WP(C) No. 880 of 2025 restraining from filling up 1 post of Mathematics & 2 posts in Pharmacy was passed without impleading the selected/recommended candidates. In order to have better understanding of the issues at hand, it would be appropriate to reproduce the original notice dated 13.02.2008 issued by Controller of Technical Education, Manipur for engagement of Guest Lecturers in Civil Engineering, Electronics Engineering, Mathematics & Pharmacy in Govt. Polytechnic College and the scanned copy of the same is reproduced below:

GOVERNMENT OF MANIPUR
OFFICE OF THE CONTROLLER OF TECHNICAL
EDUCATION, MANIPUR

NOTICE

Imphal, the 13th Feb, 2008

No.2/38/2007-CTE: For engagement of Guest Lecturers in Civil Engg. Electronics Engg. Pharmacy and Mathematics in the Government Polytechnic, Imphal interested candidates are requested to submit their application in plan paper along with the required bio-data on or before 23rd February, 2008 to the office of the Controller of Technical Education, Manipur.

Detailed information can be had from the office of the undersigned office hours.

Sd/- Kh. Rajchandra Singh
Controller of Technical Education, Manipur.



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[21] The scanned copy of notification dated 31.10.2025 issued by the Controller of Technical Education, Manipur for engagement of 25 Guest Lecturers is reproduced below:

**GOVERNMENT OF MANIPUR
OFFICE OF THE CONTROLLER OF TECHNICAL EDUCATION**

NOTIFICATION
Imphal, the 31st October, 2025

No. 4/50/2025-CTE.. In pursuance of the Secretariat Higher and Technical Education Department, Government of Manipur letter No. CTE-101/5/2025-THE-DHTE, dated 21/09/2025 & 30/10/2025, applications are hereby invited for appointment of Guest Lecturers purely on temporary basis in Government Polytechnic College in the following subjects:

Sl. No.	Subjects	No. of Guest Lecturers to be utilized from the empanelled list	Reservation of seats	Age limitation
1.	Civil Engineering	01	There will be no reservation of seats.	There will be no age limitation.
2.	Electrical Engineering	03		
3.	Mechanical Engineering	04		
4.	Electronics & Communication Engineering	02		
5.	Pharmacy	04		
6.	Humanities (Economics-1, Pol Sci./ History-1)	02		
7.	Mathematics	02		
8.	Physics	02		
9.	Chemistry	01		
10.	Computer Science	01		
Total		25		

2. Minimum Eligibility

The eligibility criteria shall be governed by the AICTE Regulations adopted by the Department of Higher & Technical Education, Government of Manipur vide Order No. 4/5/2010-5E(T) dated 23rd November, 2021. Details thereof may be obtained from the Office of the Controller of Technical Education, Manipur.

3. Remuneration

The remuneration norms will be as follows:

Details of Qualification	Rate of remuneration
With Bachelor's Degree	Rs. 580/- per Lecture, subject to a maximum of Rs. 21,000/- per month
With Master's Degree	Rs. 600/- per lecture, subject to a maximum of Rs. 21,600/- in a month

4. Mode of selection

Mode of selection shall be based on the merit of the total marks scored by the screened / eligible candidates in the written test (MCQ examination for 70 marks followed by a viva-voce of 30 marks. Total marks = 100)

5. Important dates:		
Sl. No.	Particulars	Date & Time
1.	Date of issue and submission of application forms (From the office of the Controller, Tech. Education, Imphal, Imphal West from 10:00 AM to 3:30 PM on all working days)	4 th November, 2025 To 11 th November, 2025
2.	Date of issue of Admit Cards	12 th November, 2025 to 14 th November, 2025
3.	Date of written Examination (Various Government Polytechnics, Imphal)	16 th November, 2025 (10:30 AM to 12:00 Noon)
4.	Date of interview of the screened candidates	From 20 th November, 2025 onwards

6. The application form may be procured on payment of Rs. 1000/- each. (Non-refundable)

7. The Department has the right to cancel the advertisement / notification or any other terms and conditions at any stage.

8. Short notice period for advertisement, conduct of examinations etc. is due to urgent requirement for engagement of teachers in the Government Polytechnic.

Sd/-
(T. Chandrakumar Singh)
Controller, Technical Education,
Manipur.



[22] From the above scanned reproduction, it is seen from the notice dated 13.02.2008 that the same did not mention about the appointment will be against sanctioned post and does not prescribe any mode of selection. Perhaps, the appointment was on the basis of verification of the applications and original documents of the candidates by a screening committee, without following any procedure in terms of the applicable recruitment rules. However, in the notification dated 31.10.2025 for recruitment of 25 Guest Lecturers, the minimum eligibility criteria will be in terms of the AICTE Regulations, adopted by the Department of Higher & Technical Education, Govt. of Manipur and the mode of selection shall be on the basis of written examination of 70 marks MCQs followed by viva-voce of 30 marks; and the candidates like the respondent no. 5 in WP(C) No. 905 of 2025, were appointed on the basis of the procedure prescribed and after fulfilling the minimum AICTE criteria as adopted by the Govt. of Manipur. It may be noted that while extending the engagement of the petitioners as Guest Lecturers from time to time, no formal test was conducted; the same was on temporary basis; and in order to augment the shortage of teaching faculty in the Govt. Polytechnic College. There is also 1 day gap in between extension from 1 year to another year. The notification dated 31.10.2025 does not prescribe any age limit, as the nature of Guest Lectureship is only to augment the temporary shortage in the teaching faculty. This shows that the engagement of Guest Lecturers does not have any permanency. While issuing necessary appointment order dated 15.07.2008 to the petitioner in WP(C) No. 905 of 2025 (Smt. Shanta Keithellakpam), it was specifically mentioned in second para that the appointment shall have no right to claim for extension of the term of her contract appointment and the validity of the order shall lapse on expiry of 6 months and similar



orders are issued for other appointment of Guest Lecturers. The scanned reproduction initial engagement order of the same is shown below:

GOVERNMENT OF MANIPUR
OFFICE OF THE CONTROLLER OF TECHNICAL EDUCATION
MANIPUR

ORDERS

Imphal, the 15th July, 2008

No. 3/38/2003-CTE: In pursuance of Secretariat Education Department (Technical Education), Government of Manipur's letter No. 5/2/2006-SB(T)Pt. dated the 3rd July, 2008, Kumari Shanta Keithellakpam of East Palace Compound, Wangkhei, Imphal is hereby engaged as Guest Lecturer (Electronics & Communication Engg.) in the Government Polytechnic, Takyel, Imphal for a period of 6 (six) months with effect from the date of her joining to the post as per the terms and conditions of the contract agreement drawn by you (copy enclosed). You are directed to report to the Principal, Government Polytechnic, Takyel, Imphal immediately.

The appointment shall have no right to claim for extension of the term of her contract appointment and the validity of the order shall lapse on expiry of 6 (six) months.

Sd/-
(Kh. Rajchandra Singh)
Controller of Technical Education,
Manipur.

[23] On perusal of the initial engagement order dated 15.07.2008, this clearly shows that the appointment will lapse after expiry of 6 months and with no right to claim for extension. However, due to exigency in the service, the appointment has been extended from time to time without any assurance for regularization. Nothing is mentioned to the effect that the engagement against any sanctioned post.

[24] This Court does not find any substances in the submissions of the learned counsel for the petitioners to the point that termination order has not been issued till date. Admittedly, the last extension expired on 28.02.2022; there is no further extension; and proposal for further



extension has already been rejected by the administrative department by letter dated 15.05.2025. This Court is of the considered view that in view of contents in the second para of initial engagement order dated 15.07.2008 (similar order for other engagement), the engagement will automatically expire on the maturity of the initial period of engagement and the extended period, if any. Admittedly in the present cases, there is no extension order, post 28.02.2022 and the proposal for extension of 3 years post facto by letter dated 24.02.2025 of the Controller of Technical Education, Manipur was rejected by the Administrative Department vide letter dated 15.05.2025.

[25] In view of the above discussions, findings and observations, this Court answers the 3 issues framed as (i) the engagement of the petitioners in terms of the initial notice dated 13.02.2008 is not against the sanctioned posts and is purely on engagement basis without any assurance of extension and regularization; (ii) their engagement is purely as stop gap arrangement due to shortage of teaching faculty in Govt. Polytechnic College, Takyel; and (iii) the principles of one contract/adhoc employee cannot be replaced by another set of adhoc/contract employee will not be applicable to the facts of the present cases; (iv) their engagement is not against sanctioned posts and on the basis of per lecture honorarium and they are not paid on the basis of monthly honorarium.

CONCLUSION:

[26] In conclusion, this Court passes the following directions & observations:

- (i) The petitioners and others were engaged on the basis of notice dated 13.02.2008 issued by the Controller of



Technical Education, Manipur purely on temporary basis, time bound and as stop gap arrangement;

- (ii) Their appointment was never intended against sanctioned posts; the appointment order itself says that they have no right for extension and on the expiry of the last extension on 28.02.2022, there is no further extension; and the proposal for 3 years extension vide letter dated 24.02.2025 of the Controller of Technical Education, Manipur has already been rejected by the Administrative Department, Govt. of Manipur vide letter dated 15.05.2025.
- (iii) WP(C) Nos. 905 of 2025, 880 of 2025, 523 of 2025 and 384 of 2026 are dismissed. Interim orders stand vacated.
- (iv) The respondents are directed to issue appointment order forthwith to the candidates whose appointment has been stayed by this Court [including respondent No.5 in WP(C) No. 905 of 2025] and the period of 1 year will be counted from the day, the new appointees have taken charge.
- (v) MC(WP(C)) Nos. 407 of 2026, 834 of 2025, 502 of 2025, 760 of 2025, 810 of 2025, 870 of 2025 and 388 of 2026 are also disposed of in terms of the above directions & observations.
- (vi) Parties are directed to bear their own costs.
- (vii) If the petitioners are actually working without any formal extension post 28.02.2022 (as alleged by the petitioners), such period shall be verified by the Controller of Technical Education, Manipur; and the



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petitioners may claim their entitlement for remuneration for the lectures they have already undertaken. However, the same does not amount to extension of their service by this Court.

- (viii) Regarding the plea of regularization, this Court does not express any opinion and the issue is left open to the wisdom of the competent authority to proceed as per rules, if the petitioners are so eligible.
- (ix) Registry is directed to send a copy of this judgment to the Controller of Technical Education, Manipur for information and necessary compliance.

Oinam
Thoiba
Meitei

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Thoiba

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Oinam Thoiba Meitei
Date: 2026.08.12
16:23:31 +05'30'

JUDGE