IN THE HIGH COURT OF MANIPUR
AT IMPHAL

WP(C) No. 219 of 2020

The School Management and Development Committee & 3 Ors.

…Petitioners

- Versus -

State of Manipur & 2 Ors.

…Respondents

(VIDEO CONFERENCE)

B E F O R E
HON'BLE MR. JUSTICE KH. NOBIN SINGH

O R D E R

17.06.2020

[1] Heard Shri D. Julius Riamei, learned Advocate with Ms. L. Sanjeeka, learned Advocate appearing for the petitioners while Shri Vashum, learned Government Advocate appearing for the respondents.

[2] According to the petitioners, they are the officials, the members of the School Management & Development Committee and the parents of the Bhairodan Maxwell Hindi Primary School which was set up in the year 1993, the management of which was handed over to the Government of Manipur in the year 1996 in terms of the agreement. The petitioner No.2 was the Head Mistress of the School and had executed a number of activities besides teaching bringing a lot of laurels to the school.

[3] The State Government made a process of amalgamation of the schools and accordingly, the Bhairodan Maxwell Hindi Primary School and Bhairodan Maxwell High School are to be amalgamated as Bhairodan

Maxwell High School. The amalgamation process in respect of some schools was kept in abeyance but not in respect of the present school.

[4] After the order dated 12/06/2019 having been issued, the petitioners submitted various representations to various authorities praying for keeping the process of amalgamation in abeyance including the representations dated 29/07/2019 addressed to the Hon'ble Governor, Manipur, dated 05/07/2019 addressed to the Hon'ble Minister (Education), Manipur, dated 15/07/2019 addressed to the Hon'ble Chief Minister, Manipur and dated 29/07/2019 addressed to the Zonal Educational Officer Zone-I and also to the Director of Education (S), Government of Manipur. The said representations were received by the authorities as is evident from the official communications dated 30/08/2019 and 19/09/2019. Despite the receipt of the said representations, the authorities have not considered the genuine claim of the petitioners. There is an apprehension that in case Bhairodan Maxwell Hindi Primary School stands amalgamated to Bhairodan Maxwell High School, the rights of the petitioners will be affected. It may be noted that there is an order dated 26/07/1993 stating that the State/National Teacher awardee can opt for one time facility of posting to a place of choice for which the petitioner No.2 has chosen the Primary School as her preference. Any action taken by the State Government will deprive her benefits of the order dated 26/07/1993. Being aggrieved by the petitioners on the part of the authorities, the instant writ petition has been filed.

[5] On 03/06/2020, when the matter was listed, this Court was pleased to issue notice to the respondents which was accepted by Shri Vashum, learned Government Advocate but no counter has so far been filed on behalf of the respondents.

[6] Today, when the matter is taken up for consideration, it has been submitted by Shri D. Julius Riamei, learned counsel appearing for the petitioners that the instant writ petition can be disposed of by issuing an innocuous order and accordingly, the instant writ petition stands disposed of with the direction that the representation dated 29/07/2019 shall be considered and disposed of by the respondents, keeping in mind the letters dated 30/08/2018 and 19/09/2019, within a month from the date of receipt of a copy of this order and a reasoned order shall be issued accordingly.

JUDGE

Victoria

WAIKHOM TONEN MEITEI
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