Item No. 7
(Through Video Conferencing)

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

W.P.(C) No. 566 of 2020

Kirankumar Laishram

….*Petitioner*

- Versus -

State of Manipur & 3 Ors.

…*Respondents*

BEFORE
HON'BLE THE CHIEF JUSTICE MR. RAMALINGAM SUDHAKAR

17.12.2020

[1] Heard Mrs. Th. Babita, learned counsel appearing for the petitioner, Mr. A. Mohendro, learned counsel appearing for the private respondent and Mr. S. Nepolean, learned G.A. appearing for the State.

[2] Prayer in the writ petition reads as follows :

> *"(i) Issue writ in the nature of certiorari or any other appropriate writ/order(s)/direction(s) which the Hon'ble Court deems fit and proper directing the respondents to quash and set aside the Government of Manipur, Secretariat : PHE Department Order No. 2/66/2017-PHE(I) dated 25.08.2020 allowing two junior Assistant Engineer to hold the post of Superintending Engineers, PHE Department, Manipur on the facts and circumstances of the case.*
>
> *(ii) Issue writ in the nature of certiorari or any other appropriate writ directing the respondents to consider the case of the petitioner and allow him to hold the charge/post either Superintending Engineer Rural Circle-I or Superintending Engineer, Urban Circle PHE Department, Manipur."*

[3] Petitioner is Executive Engineer (Civil) on in-charge basis and senior to respondent No. 3 in the Public Health Engineering Department, Manipur. The grievance of the petitioner is that the respondent No. 3 has been shown as Superintending Engineer on in-charge basis who is junior to the petitioner. There is a violation of rule.

[4] Mr. A. Mohendro, learned counsel appearing for the private respondent has made an objection stating that the allegation is not correct and furthermore, the grievance of the petitioner could have been addressed to the authority. Thereafter, the petitioner should have approached this Court.

[5] Same pleading is made by Mr. S. Nepolean, learned G.A. appearing for the State.

[6] Mrs. Th. Babita, learned counsel appearing for the petitioner states that petitioner is inclined to make a representation to the competent authority within a period of 1 (one) week from the date of receipt of a copy of this order so that rival claim of the petitioner can be considered by the authority expeditiously.

[7] Accordingly, writ petition is disposed of giving liberty to the petitioner to make a representation to the competent authority within one week from the date of receipt of a copy of this order. The authority will thereafter, dispose of the representation on merits expeditiously.

CHIEF JUSTICE

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Yumkham Rother

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