Item No. 72

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

MC(WA) No. 35 of 2024
Ref:- WA No. 78 of 2023

Ahongsangbam Dorendro Singh
Applicant
Vs.
State of Manipur and 11 Others
Respondents

BEFORE
HON'BLE THE CHIEF JUSTICE MR. SIDDHARTH MRIDUL
HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU KABUI

ORDER

07.10.2024
Siddharth Mridul, C.J.:

Mr. D. Julius Riamei, learned counsel, appears on behalf of the applicant and Mr. H. Devendra, learned Deputy AG assisted by Mr. Dimal Kumar Haobam, learned counsel, appears on behalf of the State of Manipur.

The present application has been instituted on behalf of parties who are former teaching and non-teaching staff of the Thambal Marik College, Oinam praying as follows :

> "*For the reasons stated above the Applicants therefore, most respectfully pray that this Hon'ble Court may graciously be pleased to :*
>
> *i. Allow the present application by impleading the Applicants as Respondent No. 10 to 19 in the array of parties in the above-mentioned Writ Appeal; and/or*
>
> *ii. Pass such other Order or Orders that this Hon'ble Court may deem fit and proper in the facts and circumstances of the case just to meet the ends of justice.*"

Vide the order impugned by the State of Manipur in the accompanying appeal being Writ Appeal No. 78 of 2023 ***(State of Manipur and 2 Others –Versus- The Governing Body Mayai Lambi College and***

8 Others) ; the learned Single Judge vide judgment and order dated 25.02.2022 allowed the said writ petition i.e. WP(C) No. 1057 of 2018 and directed as follows :-

> "*In the above circumstances,*
>
> *(a) the writ petition is disposed of .*
>
> *(b) the respondent Nos. 1 to 3 are hereby directed to absorb the 11(eleven) employees (Teaching Staff-5 and Non-Teaching-6) of the Thambal Marik College, Oinam.*
>
> *(c) the said exercise shall be done within a period of 8(eight) weeks from the date of receipt of copy of this order*."

It is an admitted position that the directions issued by the learned Single Judge vide the said impugned judgment and order dated 25th February, 2022 inure to the benefit of the present applicants.

In view of the foregoing, the applicants are axiomatically proper and necessary parties since the decision in the appeal will affect their vested rights and therefore cannot be adjudicated behind their backs and in their absence.

Resultantly, the present application is allowed.

The applicants are impleaded as Respondents No. 10 to 19 in Writ Appeal No. 78 of 2023.

Amended memo of parties be filed within 1 (one) week from today.

JUDGE **CHIEF JUSTICE**

Sushil