Item No. 83

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

WP(C) No. 484 of 2023

Phijam Shyamchand Singh

…..*Petitioner/s*

- Versus –

State of Manipur & 5 Ors.

.... *Respondent/s*

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

24.09.2024

[1] Present Mr. RK. Deepak, learned senior counsel assisted by Mr. Dennis Tokpam, learned counsel for the petitioner, Mr. Th. Sukumar, learned G.A. on behalf of Mrs. Ch. Sundari, learned G.A. for the State respondent, Mr. K. Albert, learned counsel for the LDA and Mr. K. Roshan, learned counsel for respondent No. 6.

[2] By the present petition, the petitioner has challenged the deputation order dated 05.08.2020 and the corrigendum dated 06.08.2020 whereby private respondent was appointed on deputation as Superintending Engineer of Engineering Wing, Education (S) Department, Manipur. The petitioner approached by way of writ of quo warranto.

[3] Mr. K. Roshan, learned counsel for the private respondent, submits that vide order dated 05.08.2020, the State Government has reverted the petitioner to the parent cadre in LDA and

by the subsequent event, the cause in the writ petition does not survive and the same may be closed.

[4] Mr. RK. Deepak, learned senior counsel for the petitioner, submits that the deputation of the petitioner was done in gross violation of several rules and also the private respondent was not eligible for appointment as Superintending Engineer of Engineering Wing, Education (S), Government of Manipur and later on was promoted as Chief Engineer. It is submitted that the private respondent should refund all the monitory benefit obtained out of illegal deputation and the matter may be heard on merit.

[5] This Court is of the opinion that when the cause of writ petition does not survive, no indulgence of academic importance is called for and if the petitioner has any grievance apart from the order of deputation, he may approach appropriate forum.

[6] With this observation, writ petition is closed.

JUDGE

Kh. Joshua Maring

KH. JOSHUA MARING

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