

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

WP(C) No. 405 of 2025

Phurailatpam Chandrakriti Sharma.

...Petitioner

- Versus -

State of Manipur & 2 Ors.

...Respondents

**With
MC(WP(C)) No. 388 of 2025
MC(WP(C)) No. 84 of 2025
WP(C) No. 92 of 2025**

**B E F O R E
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

ORDER

19-05-2025

[1] Heard Mr. H.S. Paonam, learned senior counsel assisted by Mr. N. Bipin, learned counsel for the petitioner and Mr. Th. Sukumar, learned Government Advocate for the State respondents.

[2] The petitioner earlier filed the writ petition being WP(C) No. 92 of 2025 challenging the impugned memorandum dated 15-09-2020 and the enquiry proceeding pursuant to the same on various grounds including that during the pendency of the enquiry, his salary had been reduced by three increments in terms of the provisional pay salary dated 08-11-2023 issued by the Office of the Principal Accountant General, Manipur. When the matter was listed, Mr. Th. Sukumar, learned Government Advocate for the State respondents, submitted that the Administrative Department did not issue any direction for reduction of three increments from the salary of the petitioner

and as such the same could not be termed as awarding of punishment during the pendency of enquiry proceeding and the learned Government Advocate sought time for taking instructions.

[3] Mr. H.S. Paonam, learned senior counsel for the petitioner, submits that the Office of the Accountant General, Manipur will not pass any order reducing three increments from the petitioner's salary without instructions from the Administrative Department and as such the enquiry proceeding is illegal for imposing punishment before its completion.

[4] When the matter is pending, the Commissioner-cum-Secretary (WR), Government of Manipur issued an order dated 09-05-2025 whereby the service of the petitioner has been terminated, exercising the power under Rules 10 (6) (7), Rule 11 (ix) and Rule 15 (6) of the CCS (CCA) Rules, 1965 with disqualification from future employment under Government. The subsequent order dated 09-05-2025 is being challenged in WP(C) No. 405 of 2025.

[5] Mr. H.S. Paonam, learned senior counsel for the petitioner, submits that the subsequent impugned order dated 09-05-2025 is illegal as the petitioner has not been served with copy of the enquiry report to make his defence as contemplated under Rule 15(2) of the CCS (CCA) Rules, 1965 and the same amounts to double jeopardy as the petitioner has already been inflicted with punishment of stoppage of three increments.

[6] When the matters are taken up today, Mr. Th. Sukumar, learned Government Advocate for the State respondents, has produced a copy of the order dated 15-05-2025 passed by the Commissioner-cum-Secretary

(WR), Government of Manipur withdrawing the second impugned order dated 09-05-2025 imposing penalty of termination of service against the petitioner herein. It is submitted that the WP(C) No. 405 of 2025 has become infructuous with the issuance of the order dated 15-05-2025 and the matter may be closed.

[7] Mr. H.S. Paonam, learned senior counsel for the petitioner, fairly concedes that WP(C) No. 405 of 2025 may be closed.

[8] The order dated 15-05-2025 is taken on record.

[9] However, Mr. H.S. Paonam, learned senior counsel for the petitioner, submits that the petitioner is pursuing WP(C) No. 92 of 2025 challenging the memorandum dated 15-09-2020 and the subsequent enquiry proceedings on various grounds.

[10] Accordingly, WP(C) No. 405 of 2025 and MC(WP(C)) No. 388 of 2025 are closed as infructuous.

[11] Issue notice to the respondents in WP(C) No. 92 of 2025 and MC(WP(C)) No. 84 of 2025

[12] Mr. Th. Sukumar, learned Government Advocate, accepts notice on behalf of all the respondents. Hence, service is complete on the respondents.

[13] Learned Government Advocate prays for two weeks' time for filing counter affidavit.

[14] Mr. H.S. Paonam, learned senior counsel for the petitioner, prays for an interim order staying the proceeding of the enquiry initiated against the petitioner as the respondents have pre-determined mind.

[15] Mr. Th. Sukumar, learned Government Advocate, opposes the prayer for passing of any interim relief at this stage due to seriousness of the case.

[16] Considering the factual matrix of the case, this Court permits the respondents to proceed the enquiry proceeding. However, no adverse order shall be passed till the next date.

[17] List these cases on 20-06-2025.

JUDGE

Victoria