

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

**WA No. 19 of 2023 With
MC(WA) No. 34 of 2023 With
WA No. 20 of 2023 With
MC(WA) No. 35 of 2023**

The Chairman & Managing Director & 3 Ors.

.....Appellant/s

- Versus –
S. James

.... Respondent/s

BEFORE
**HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH
HON'BLE MR. JUSTICE A. GUNESHWAR SHRMA**

24.02.2023

Heard Mr. D. Julius Riamei, learned counsel appearing for the appellants and Dr. S. James, learned counsel appearing for the respondent in-person.

The learned counsel for the appellants submitted that the order dated 10/13.02.2020 imposing penalty upon the respondent as well as the order dated 24.06.2021 rejecting the appeal preferred by the respondent were quashed and set aside by the learned Single Judge on the ground that both these orders was passed by the same person acting as disciplinary authority and appellate authority.

According to the learned counsel, the finding of the learned Single Judge is factually incorrect, inasmuch as, the order imposing penalty upon the respondent was passed by Shri D.V. Prasad who was the then Managing Director , FCI and the order dated 24.06.2021 rejecting the appeal filed by the respondent was rejected by a person namely Shri Atishchandra, Chairman

FCI, who were different persons and holding different posts.

Dr. S. James, learned counsel appearing in-person submitted that he wants to raise preliminary points regarding the maintainability of the present appeals.

Appeals are admitted for hearing.

After hearing the submissions advanced by the learned counsel appearing for the appellants and on careful examination of the materials available on record, we are satisfied that prima-facie case has been made out for passing interim order. Accordingly, the impugned judgment and order dated 10.01.2023 passed by the learned Single Judge in WP(C) No. 581 of 2020 and WP(C) 465 of 2021 shall remain stay till the next date.

As prayed for, list these cases again on 25.03.2023.

JUDGE

JUDGE

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