

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

WP(C) No.140 of 2026 with
MC (WP(C)) No.146 of 2026

Lairenjam Mapiak Singh ... Petitioner
-Versus-
State of Manipur & 5 Ors ... Respondents

BEFORE

HON'BLE MR. JUSTICE A.GUNESHWAR SHARMA

20.02.2026

Heard Mr.M.Hemchandra, learned senior counsel assisted by Mr.M.Rendy, learned counsel for the petitioner.

The petitioner was appointed as Assistant Engineer on contract basis in the Manipur State Rural Roads Development Agency (MSSRDA) vide order dated 14.11.2012 and his service was regularised as Assistant Engineer in the newly created Rural Engineering Department (RED), under the Rural Development & Panchayati Raj (RD & PR) w.e.f. 16.9.2016. For promotion to the post of Executive Engineer, in terms of Recruitment Rule of 2022 it is by promotion with six years regular service of Assistant Engineer for Degree Holder and nine years regular service for Diploma Holders and 6 to 7 years for Diploma Holders with AMIE. There are 25 (twenty five) posts in the cadre and Rule 5 read with column No.13 of the Rule provides for power for exemption in consultation with MPSC. The Department of Personnel and Administrative Reforms issued notification dated 21.7.2023 thereby introducing one time relaxation for regular service,

reducing from six years to four years for Degree and from nine to six years for Diploma holders and from six to seven years to five and six years for AMIE Diploma Holders. The one time relaxation vide notification dated 21.7.2023 was set aside by Division Bench of this Court on 16.12.2024 in WP(C) No.534 of 2024 giving liberty to the State respondents to fill up vacant posts by exercising power of relaxation, if required. Another WP(C) No.684 of 2023 was also disposed of by the learned Single Judge vide order dated 31.1.2025 to consider the case of all eligible candidates for promotion to Executive Engineer in terms of Division Bench order.

Mr.M.Hemchandra, learned senior counsel for the petitioner submits that without following the direction passed by the Division Bench, the Commissioner, RD & PR, Government of Manipur issued order dated 29.1.2026 in pursuance to decision taken by the Governor in council in its meeting held on 21.1.2026 absorbing the service of four incumbents serving in the RD & PR and other to RED with immediate effect. The petitioner is aggrieved as respondent No.6 has been absorbed as Executive Engineer (Civil) in RED from parent department of RD & PR in violation of RR of 2022.

Learned senior counsel for the petitioner submits that absorption is in violation of 2022 Recruitment Rules and decision of the Governor in council cannot override Statutory Rules framed under Article 309 of the Constitution.

Issue Notice.

Mr.Somorendro Roy, learned Dy.GA assisting Mr.H.Devendra, learned Dy. A.G, Manipur accepts notice on behalf of respondent Nos.1, 2, 3 and 4 and Ms. I.Bimola, learned counsel accepts notice on behalf of respondent No.5

and Mr.Arunkumar, learned counsel assisting Mr.H.S.Paonam, learned senior counsel for respondent No.6/caveator.

Service is complete on all respondents.

Mr.H.Devendra, learned Dy.A.G, Manipur prays for some time to take instruction for filing counter affidavit.

Mr.H.S.Paonam, learned senior counsel for the Caveator/respondent No.6 submits that respondent No.6 was promoted to the post of Executive Engineer in the year 2023 in RD & PR and he was utilised as OSD in the grade of Superintending Engineer in RED. On the other hand, petitioner is yet to be promoted to Executive Engineer and petitioner is still in the substantive post of Assistant Engineer in RED.

Learned senior counsel for respondent No.6 also prays for some time to file comprehensive counter affidavit. Mr.M.Hemchandra, learned senior counsel fairly submits that any promotion/absorption done in terms of impugned order may be subject to outcome of the writ petition.

Accordingly, it is clarified that anything done in terms of impugned order dated 29.1.2026 will be subject to outcome of the writ petition with respect to private respondent No.6.

List this case on 1.4.2026.

JUDGE