

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

**WP(C) No. 184 of 2023 with
MC(WP(C) No. 22 of 2023 with
WP(C) No. 376 of 2021 with
WP(C) No. 66 of 2019**

Mutum Shyamo Singh

.....Petitioner/s

- Versus -

State of Manipur & 3 Ors.

.... Respondent/s

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

21.10.2024

[1] Heard Mr. A. Mohendro, learned counsel for the petitioner, Mrs. Ch. Sundari, learned G.A. for the State respondent and Mr. Th. James, learned counsel for the School Management.

[2] The petitioner approached this Court by way of the present writ petition being WP(C) No. 184 of 2023, inter-alia, challenging his suspension order as well as for releasing of the pending pay and allowances and also formation of the School Management Committee.

[3] Mr. Th. James, learned counsel for the School Management, has raised the question of maintainability of the writ petition on the ground that in terms of provisions of the Government

Aided Private School Teacher (Discipline, Punishment & Appeal) Rules, the petitioner has not approached the competent authority.

[4] Mr. A. Mohendro, learned counsel for the petitioner, submits that the provisions cited by the learned counsel for School Management is not applicable in the present case as the same is to be in the punishment given by a valid management committee in terms of enquiry and in the present case, the enquiry is still pending and the same is not applicable in the case of the petitioner.

[5] This Court is of the opinion that in the present writ petition, the issues arose are:

- (i) Whether the writ petition is maintainable against the suspension order passed by the School Management Committee in view of the provisions of the Government Aided Private School Teacher (Discipline, Punishment and Appeal) Rules or not?
- (ii) Whether the provisions of CCS (CCA) Rules with respect to the suspension especially the period prescribed in Rule 10 of the CCS (CCA) Rules will be applicable in the suspension order issued under Rule 2 of the aforesaid Pension Rules or not?
- (iii) Whether the School Management Committee constituted in the year 2021 is validly constituted or not?

(iv) Whether the suspension order issued by a School Management Committee, not duly constituted, is valid or not?

[6] List this case on 15.11.2024.

[7] Earlier interim order is extended till the next date.

JUDGE

Kh. Joshua Maring