

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

WP(C) No. 279 of 2025

Konsam Sushila Devi.

...Petitioner

- Versus -

State of Manipur & Anr.

...Respondents

**With
MC(WP(C)) No. 263 of 2025**

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

ORDER

04-04-2025

[1] These matters have been taken up as supplementary item on mention.

[2] Heard Mr. A. Golly, learned counsel for the petitioner.

[3] Issue notice in both the main petition as well as the application for interim relief.

[4] Mrs. Ch. Sundari, learned Government Advocate, accepts notice on behalf of respondent Nos. 1 & 2. Hence, service is complete on the respondents.

[5] Learned Government Advocate prays for two weeks' time for taking instructions and filing counter affidavit.

[6] Mr. A. Golly, learned counsel for the petitioner, prays for an interim relief of staying the impugned transfer order dated 29-03-2025 issued by the Joint Director (Social Welfare), Government of Manipur with respect to Serial No. 2 concerning the petitioner wherein she has been transferred from

Manipur State Women Development Corporation Ltd. (MSWDC Ltd.) (place of attachment) to Prosthetic & Orthotics at DSWO, Imphal East.

[7] It is also submitted that vide order dated 13-03-2024, the petitioner was transferred to Manipur State Women Development Corporation Ltd. (MSWDC Ltd.) from P & O, Directorate Head Quarter. Learned counsel for the petitioner submits that the impugned transfer order is in violation of the transfer policy issued by notification dated 12-05-2022 with respect to Rule III (i) & (ii) where minimum tenure is one year and six months and no transfer may be effected unless there are compelling reasons/circumstances to do so. Learned counsel for the petitioner has also pointed out that the transfer can be made in contradiction to the rules only with the written consent from the Chief Minister of Manipur.

[8] It is pointed out that the present transfer order was issued before the expiry of one year and six months. It is also stated that the transfer order dated 29-03-2025 has not been issued to the petitioner till date. But somehow, the petitioner came to know about the same on 03-04-2025 and immediately filed the present writ petition. The petitioner also submitted a representation dated 03-04-2025 to the Joint Secretary (Social Welfare), Government of Manipur and the Director (Social Welfare), Government of Manipur for considering and keeping in abeyance the transfer order dated 29-03-2025.

[9] Mrs. Ch. Sundari, learned Government Advocate for the State respondents, submits that the impugned transfer order does not amount to transfer, it is a posting within the Imphal area. It is also stated that the petitioner has been posted in the Head Quarter since 2022 and the

impugned transfer order does not violate the transfer policy framed by the State.

[10] This Court has considered the material on record. The petitioner was transferred vide order dated 13-03-2024 and by the impugned transfer order dated 29-03-2025, she was posted at another place and the same is before the expiry of one year and six months as stipulated in the transfer policy.

[11] Till the next date, the impugned transfer order dated 29-03-2025 at Serial 2 with respect to the petitioner shall be kept in suspension. The pendency of the writ petition shall not bar the respondents from considering the representation dated 03-04-2025 submitted by the petitioner.

[12] List these cases on 14-05-2025.

[13] Furnish a copy of this order to the learned counsel appearing on behalf of the parties in the course of the day.

JUDGE

Victoria