

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

**W.P. (C) No. 331 of 2023 with MC(W.P. (C)) No. 157 of 2024 with
MC(W.P. (C)) No. 189 of 2024 with W.P. (C) No. 1045 of 2022 with
W.P. (C) No. 1046 of 2022 with W.P. (C) No. 1068 of 2022 with
W.P. (C) No. 1080 of 2022 with W.P. (C) No. 13 of 2024 with
W.P. (C) No. 14 of 2024 with W.P. (C) No. 15 of 2024 with
W.P. (C) No. 18 of 2023 with
W.P. (C) No. 188 of 2024 with W.P. (C) No. 201 of 2024 with
W.P. (C) No. 225 of 2024 with W.P. (C) No. 231 of 2024 with
W.P. (C) No. 235 of 2018 with W.P. (C) No. 276 of 2024 with
W.P. (C) No. 296 of 2024 with W.P. (C) No. 329 of 2023 with
W.P. (C) No. 330 of 2023 with W.P. (C) No. 332 of 2023 with
W.P. (C) No. 333 of 2023 with W.P. (C) No. 349 of 2023 with
W.P. (C) No. 457 of 2024 with
W.P. (C) No. 462 of 2024 with W.P. (C) No. 463 of 2024 with
W.P. (C) No. 478 of 2023 with W.P. (C) No. 479 of 2023 with
W.P. (C) No. 505 of 2024 with W.P. (C) No. 506 of 2023 with
W.P. (C) No. 506 of 2024 with W.P. (C) No. 507 of 2023 with
W.P. (C) No. 508 of 2023 with W.P. (C) No. 509 of 2023 with
W.P. (C) No. 511 of 2024 with W.P. (C) No. 51 of 2021 with
W.P. (C) No. 513 of 2024 with W.P. (C) No. 517 of 2024 with
W.P. (C) No. 620 of 2019 with W.P. (C) No. 626 of 2024 with
W.P. (C) No. 629 of 2024 with W.P. (C) No. 660 of 2023 with
W.P. (C) No. 662 of 2024 with W.P. (C) No. 67 of 2023 with
W.P. (C) No. 688 of 2018 with W.P. (C) No. 690 of 2018 with
W.P. (C) No. 749 of 2023 with W.P. (C) No. 764 of 2022 with
W.P. (C) No. 765 of 2022 with W.P. (C) No. 766 of 2022 with
W.P. (C) No. 788 of 2022 with W.P. (C) No. 847 of 2023 with
W.P. (C) No. 863 of 2023 with W.P. (C) No. 864 of 2023 with
W.P. (C) No. 868 of 2023 with
W.P. (C) No. 87 of 2024 with W.P. (C) No. 88 of 2024 with
W.P. (C) No. 89 of 2024 with W.P. (C) No. 90 of 2024 with
W.P. (C) No. 928 of 2023 with W.P. (C) No. 96 of 2024**

Kh Puspallata Devi

... *Petitioner*

- *Versus* -

State of Manipur and 3 Ors.

... *Respondents*

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

ORDER

09.03.2026

[1] Present Mr. M. Rendy, learned counsel; Mr. Kh. Tarunkumar,
learned sr. counsel along with Ms. Kh. Maria, learned counsel; Mr. Ch.

Robinchandra, learned counsel; Ms. Malemleima, learned counsel; Mr. R.K. Deepak, learned sr. counsel; Mr. L. Raju, learned counsel for some the petitioners; Mrs. Ch. Sundari, learned GA & Mr. S. Niranjan, learned GA for the State respondents and Mr. S. Suresh, learned counsel & Mr. S. Jasobanta, learned counsel for the Principal Accountant General, Manipur.

[2] On 22.08.2025, this Court framed 5 propositions in this batch of writ petitions and the relevant para no. 2 is reproduced below:

"[2] After considering the preliminary submissions made by the learned counsel for the parties and on perusal of the materials on record, this Court framed the following propositions in the present batch of writ petitions:

- (i) Whether recovery of excess payment can be made from retired Group C & D (Class-III & IV) employees?*
- (ii) Is there any exception for recovery of excess payment from the retired Group C & D (Class-III & IV) employee?*
- (iii) What are the conditions for recovery of excess payment made from any other employees (apart from Group C & D) after retirement?*
- (iv) Whether misrepresentation, fraud and collusion be a ground for recovery of excess payment for any retired Government employee?*
- (v) Whether it is mandatory to issue show cause notice before recovery of the excess payment from any retired employee?"*

[3] During the course of hearing, the learned counsel for the respondents has pointed out that in the 5 propositions framed by this Court in order dated 22.08.2025, the most important issue raised by the respondents is that the employees at the time of availing the benefit of higher pay/ allowance, the employees have given written consent for recovery, if any, in case of excess payment and this main issue is missing in the propositions framed by this Court. An additional proposition be added in continuation to earlier propositions framed

by order dated 22.08.2025. In the circumstances, an additional proposition is framed in continuation of the earlier order dated 22.08.2025 as “(vi) Whether recovery of excess payment be made from the employees (both serving and retired) as they have already given consent for the same?”.

[4] List these cases on 06.04.2026 for further hearing.

JUDGE

Thoiba