

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

WP(C) No. 791 of 2016

M. Kanta Singh

.....*Petitioner/s*

- Versus -

State of Manipur & 4 Ors.

.... *Respondent/s*

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

25.07.2024

[1] Present Mr. M. Hemchandra, learned senior counsel assisted by Mr. M. Rendy, learned counsel for the petitioner and Mrs. Ch. Sundari, learned G.A. for the State respondent.

[2] Mr. M. Hemchandra, learned senior counsel, submits that the petitioner was appointed in pursuance of the order of the Gauwahati High Court as Barkandaz in the then Chief Engineer (Power), Electricity Department, Manipur under the die-in-harness vide order dated 27.05.2002 and later on, the Administrative Department (Power), Government of Manipur intimated the Chief Engineer (Power), Manipur vide order dated 09.05.2006 that the petitioner can be considered for appointment as LDC under the die-in-harness in the 17 available clear vacancy.

[3] Accordingly, vide order dated 07.09.2006 issued by the Chief Engineer (Power), Manipur, the petitioner was appointed as LDC and this subsequent order superseded the earlier order dated

27.05.2002 appointed him as Barkandaz under the die-in-harness scheme. So the petitioner has been appointed twice under the die-in-harness scheme, one as Barkandaz in the year, 2002 and as LDC in the year 2006.

[4] By the present petition, the petitioner is claiming the service link up for the period he worked as Barkandaz for the purpose of pensionary benefit.

[5] Mrs. Ch. Sundari, learned G.A., submits that the service of the petitioner working as Barkandaz cannot be link up to the post of LDC in the year 2006. The order dated 07.09.2006 appointing the petitioner as LDC superseded the earlier order dated 27.05.2002 as Barkandaz cannot be counted for the purpose of pension and other service benefit.

[6] After hearing the learned counsel for the parties, this Court framed the following issue that whether the period of working as Barkandaz upon direct appoint under the die-in-harness vide order dated 27.05.2002 be counted as service for considering pensionary benefit in terms of the appointment in LDC under the die-in-harness scheme or not.

[7] Learned counsel for the parties seek 3 (three) weeks' time for preparation of the case.

[8] List this case on 20.08.2024.

JUDGE

Kh. Joshua Maring