

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

**WP(C) No. 355 of 2025 With  
MC(WP(C)) No. 336 of 2025**

Seram Jateshwor Singh; & 90 Ors

***Petitioners***

**Vs.**

State of Manipur & 5 ors.

***Respondents***

BEFORE

**HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

**30.04.2025**

Heard Mr. S. Kaminikumar, learned counsel appearing for the petitioners.

Issue notice, returnable within 4 weeks.

As Mr. M. Rarry, learned senior counsel entered appearance and accepts notice on behalf of all the respondents, no formal notice is called for.

It is the case of the petitioners that after taking over of the Private/Aided colleges wherein all the petitioners were serving and in pursuance of the provision under Rule 7 of the Manipur Civil Service (Appointment and other service conditions of employees of Government Aided/Private Institutions taken over by the Government) Rules, 1981, the Government has issued an order dated 07.03.2019 absorbing the petitioners and others into government service w.e.f. 22-01-2019 and also ordering the protection of their past services and their pay protection with notional effect including the pension and provisional gratuity in respect of the employees of the erstwhile private/aided colleges including the present petitioners. Subsequently without giving any notice or without giving any opportunity of hearing, the respondents unilaterally issued an Office

Memorandum dated 11-12-2023 thereby keeping in abeyance the order issued in favour of the petitioners. It is also the case of the petitioners that in the minutes of the meeting of the committee for linking up of past service for pensionary benefits held on 29-01-2025 by the officials of the State Government, certain decisions about the applicability of the pension rules in respect of the petitioners and other of their ilk were taken. According to the petitioners, such action of the government is unwarranted and illegal inasmuch as, the said Office Memorandum and the said decision taken in the aforesaid proceeding adversely affect the accrued right of the petitioners without following the principle of natural justice.

The learned counsel appearing for the petitioners prays for passing an interim order for protecting the right and interest of the present petitioners.

Mr. M. Rarry, learned senior counsel appearing for the respondents, strenuously submitted that the decision taken by an executive officer of the government cannot override the provisions of the statutory rule framed under article 309 of the constitution and that he has also received instructions to raise a preliminary issue regarding the maintainability of the present writ petition. The learned senior counsel also submitted that he may be given a few weeks' time to file a detailed affidavit and to consider the prayer for passing interim order made by the petitioners in the present writ petition. The learned senior counsel finally submitted that there is no urgency for passing any interim order in the present writ petition and that no interim order be passed in the present writ petition before consideration of the prayer for passing interim order.

The learned senior counsel further submitted that the final absorption of all the present petitioners in terms of Rule 5 of the Manipur Civil Service (Appointment and other service conditions of employees of

Government Aided/ Private Institutions taken over by the Government) Rules, 1981, is yet to be completed and as such, the learned senior counsel submitted that no interim order is called for at the moment.

As prayed for by the learned senior counsel appearing for the respondents, list these cases again on 07.05.2025 for consideration of the prayer for passing interim order.

In the meantime, it is hereby directed that the impugned Office Memorandum dated 11-12-2023 and the decision taken in the aforesaid committee meeting held on 29-01-2025 shall not be made applicable to the present petitioners till the next date of hearing.

*Sapana*

**JUDGE**