

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

**W.P.(C)No. 493 of 2020**

Dr. S. Bikramaditya Meitei

***... Petitioner***

**-Versus-**

State of Manipur & 4 ors.

***... Respondents***

**B E F O R E**

**HON'BLE MR. JUSTICE KH. NOBIN SINGH**

**10.09.2020**

Heard Ms.G.Pushpa, learned counsel appearing for the petitioner and Mr. S. Nepolean, learned GA for the respondents.

The validity and correctness of the seniority list of Doctors covered under Time Scale Promotion (Regularly appointed Senior Residents/Tutor/Demonstrators/Lady Medical Officer possessing Post Graduate Degree) Rules, 2018 is under challenge.

At the time when the petitioner was appointed as Senior Resident, he had already completed Post Graduate Degree whereas the private respondent Nos. 3 & 4 at the time of their appointment had not completed Post Graduate Degree. According to the petitioner, as per the Medical Council of India Minimum qualifications for Teachers in Medical Institutions regulations, 1998, a Senior Resident is one who is doing his/her residency in the concerned post graduate subject after obtaining PG Degree(MD/MS) and one year experience.

The grievance of the petitioner is that at the time of finalization of seniority list, the private respondents who did not

possess PG Degree at the time of initial appointment as Senior Resident, had been given seniority above the petitioner. The petitioner submitted a representation to the Director, JNIMS pointing out the irregularities but the order dated 07.08.2020 by which the Final Seniority List was published, did not contain any reason for rejecting the objections.

In view of the above, let notice be issued to the respondents returnable on 07.10.2020.

Since Mr. S. Nepolean, learned GA accepts notice on behalf of the respondent Nos. 1, 2 & 3, no formal notice is called for.

As regard the respondent Nos. 3 & 4 (effectively respondent No. 4 & 5), learned counsel for the petitioner is directed to take steps for service of notice upon them by speed post. Error in the cause title is to be rectified by the counsel in the Registry.

By way of interim measure, it is directed that the order dated 07.08.2020 by which the Final Seniority List was published by the authority, shall not be acted upon without the leave of this Court for further appointment on promotion in respect of the private respondents.

Copies of this order shall be sent to the learned counsels appearing for the parties through their WhatsApp/e-mail.

JUDGE