

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

**WP(C) No. 380 of 2026 with
MC(WP(C) No. 404 of 2026 with
WP(C) No. 387 of 2026 with
MC(WP(C) No. 408 of 2026**

Sumitra Phanjoubam

.....*Petitioner/s*

-Versus-

Union of India & 2 Ors.

....*Respondent/s*

**BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

Order

29.05.2026

[1] Heard Mr. HS. Paonam, learned senior counsel assisted by Mr. N. Bipin, learned counsel for the petitioner in WP(C) No. 380 of 2026 and Mr. K. Roshan, learned counsel for the petitioner in WP(C) No. 387 of 2026.

[2] By the present petitions, the petitioners inter-alia challenged office order No. 105 dated 14.05.2026 issued by the Registrar, Manipur University and letter dated 14.05.2026 issued by the Under Secretary, Government of India, Ministry of Education, Department of Higher Education to the Registrar, Manipur University for approval of the President of India as visitor, Vice-Chancellor, Manipur University to the proposal of handing over the charge of Vice-Chancellor to Prof. Ganga Prasad Parsain who is respondent No. 3 in WP(C) No. 380 of 2026.

[3] Mr. HS. Paonam, learned senior counsel for the petitioner, submits that the incumbent Vice-Chancellor Prof. L. Lokendra Singh demitting office on 07.05.2026 (forenoon). On 06.05.2026, the Registrar,

Manipur University issued an office order No. 69 informing the Prof. Sumitra Phanjoubam, the petitioner herein who is the senior most professor to perform the duty of Vice-Chancellor (in-charge) with effect from 07.05.2026 (afternoon) till she attains the age of 65 years till new Vice-Chancellor assumes office whichever is earlier.

[4] It is submitted that the order No. 69 is issued in terms of statute 2(6) of the Manipur University Act which stipulates that if the office of the VC is vacant due to any reason, Pro VC shall perform the duty of VC and in case of pro VC is not available, the senior most Professor shall perform the duty of VC until new VC assumes office or existing VC resumes the charge of duty, as the case may be.

[5] In the circumstances, the Registrar issued a notification dated 07.05.2026 under Prof. Sumitra Phanjoubam to perform the duty of VC with effect from 07.05.2026 (afternoon) till she attains the age of 65 years or new VC assumes charge or instruction from the Ministry. In pursuance of the order dated 06.05.2026 and 07.05.2026, it is submitted that Prof. Sumitra Phanjoubam took charge of VC (in-charge) with effect from 07.05.2026 (A.N.).

[6] The petitioner in WP(C) No. 387 of 2026 is the second senior most professor in the University and the new appointee i.e. Prof. Ganga Prasad Parsain is the third senior most in the seniority list maintained by the University.

[7] Issue notice to the respondents.

[8] Mr. N. Nongdamba, learned counsel assisting Mr. Kh. Samarjit, learned DSGI accepts notice on behalf of respondent No. 1 in WP(C) No. 380 of 2026 and respondent No. 3 in WP(C) No. 387 of 2026 and Mr. DP. Sahu, learned counsel assisting Mr. BP. Sahu, learned senior counsel accepts notice on behalf of respondent No. 2 in WP(C) No. 380 of 2026 and respondent Nos. 1 & 2 in WP(C) No. 387 of 2026.

[9] Petitioners are directed to take step to private respondent No. 3 in WP(C) No. 380 of 2026 and private respondent No. 4 in WP(C) No. 387 of 2026 by speed post and dasti in addition within three days and file affidavit of proof of service.

[10] Learned senior counsel for the respondents pray for one week's time for filing counter affidavit and rejoinder, if any, before the next date.

[11] Mr. HS. Paonam, learned senior counsel for the petitioner, submits that the appointment of private respondent who is third in seniority list as in-charge VC is in total violation of statute 2 (6) of Manipur University Act, 2005. The petitioner has earlier taken charge of in-charge VC on 07.05.2026. By the impugned order and letter both dated 14.05.2026, she has been removed from in-charge VC and replaced by private respondent who is her junior and the same is in violation of Statute 2(6). It is further submitted that for appointment of in-charge VC under Statute 2(6), only seniority question has to be examined and the petitioner being senior most, the appointment of private respondent is in violation of the provisions of the Act and Statute. He relies on the decision of the Hon'ble Supreme Court in the case of Union of India vs. Mahendra Singh reported 2022 SCC OnLine SC 909 para 14 to 17 reiterating the principal of Nazir Ahmad that if certain thing is to be done in the certain way the same is done in that way or not at all. It is prayed that the impugned orders and letters be stayed during the pendency of the present writ petition.

[12] Mr. Kh. Samarjit, learned DSGI, opposes the prayer for interim relief on the ground that the office of the VC cannot be vacant and the interim order will amount to conferring the final relief to the petitioner. In terms of the order dated 07.05.2026, the appointment of the petitioner is conditional-(i) till she attains the age of 65 years, or (ii) till new VC assumes charge, or (iii) till instruction from the Ministry. She has not challenged the order dated 07.05.2026 and she has been removed as per the instruction from the Ministry in terms of order dated 07.05.2026.

[13] Mr. BP. Sahu, learned senior counsel for the Manipur University, also adopts the submissions of learned DSGI on the question of interim relief.

[14] This Court has perused the materials on record. The appointment of VC is to be made by the Visitor (Hon'ble President of India) in terms of Section 13 of the Act in the manner prescribed by the Statute. The provisions of Statute 2(1) & (2) are for appointment of VC on regular basis and Statute 2(6) is for appointment of VC on in-charge basis when the office become vacant due to any other reasons including superannuation of the incumbent VC. In the present case, the office of the VC become vacant on 07.05.2026 (A.N.) due to the retirement of the incumbent VC. Since regular VC could not be appointed on time, resort has been taken for appointment of VC on in-charge basis under Statute 2(6). Since the petitioner is admittedly the senior most Professor available in Manipur University, the appointment of private respondent as VC in-charge basis does not seem to be strictly in terms of Statute 2(6).

[15] In the circumstances, the letter dated 14.05.2026 issued by the Under Secretary, Ministry of Education, Department of Higher Education, Government of India to the Registrar, Manipur University and order No. 105 dated 14.05.2026 issued by the Registrar, Manipur University are stayed till next date. Since the office of the VC cannot remain vacant, the senior most Professor Sumitra Phanjoubam is permitted to take charge of in-charge VC of Manipur University till next date.

[16] List this case on 08.06.2026.

[17] Furnish a copy of this order to the learned counsel appearing for the parties during the course of the day by whatsapp or any available mode.

JUDGE

Kh. Joshua Maring