

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

**WP(C) No. 501 of 2023**

Yumnam Bihari Singh

....*Petitioner*

- Versus -

State of Manipur; & Ors.

...*Respondents*

**BEFORE**

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

18.07.2023

[1] Heard Mr.N.Kumarjit, learned senior counsel assisted by Mr.Zequeson, learned counsel for the petitioner.

[2] By way of the present writ petition under Article 226 of the Constitution the petitioner is challenging the impugned order dated 6.7.2023 passed by the Commissioner (Higher & Technical Education), Government of Manipur, appointing the private respondent No.3 as in-charge Principal of Mayai Lambi College, in public interest till a regular Principal is appointed or until further order whichever is earlier. It is stated that the petitioner was appointed as In-charge Principal of Mayai Lambi College vide order dated 2.12.2014 issued by the Secretary, Governing Body of the college when the college was an aided one. It is also stated that the Government of Manipur regularized six colleges including the Mayai Lambi College vide order dated 28.06.2018 passed by the then Commissioner, Higher & Technical Education, Government of Manipur. Since 2014 the petitioner has been holding as In-charge Principal of Mayai Lambi College till issuance of the impugned order dated 6.7.2023 where the private respondent has been appointed as In-charge Principal without assigning any reason. It is stated that it is settled principle of law that an In-charge cannot be replaced by another In-charge without assigning any reason and prays that the impugned order be stayed.

Issue notice.

Mr.Y.Ashang, learned GA accepts notice on behalf of respondent Nos.1 and 2 and as such, no formal step is required to be taken with respect to these respondents.

Petitioner has to take steps with respect to respondent No.3 by Speed Post, returnable within two weeks.

Mr.Ashang, learned GA seeks two weeks' time to seek instruction and file counter affidavit.

Mr.N.Kumarjit, learned senior counsel submits that the petitioner is still holding In-charge Principal in view of the order dated 2.12.2014 appointing him as In-charge Principal and he is yet to hand over the charge to the private respondent in terms of the impugned order dated 6.7.2023 and the impugned order is yet to be communicated to the petitioner.

Under the circumstances, it will be sufficient that status quo as on date may be maintained till the returnable date.

List on 23.08.2023 before the roster Bench.

Copy of this order be furnished to the counsel appearing for the parties in the course of the day.

**JUDGE**

*Priyojit*