

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

WP(C) No. 1000 of 2025

RK Lansana & anr.

... *Petitioners*

Vs.

State of Manipur & ors.

... *Respondents*

With

MC(WP(C)) No. 917 of 2025

B E F O R E
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

O R D E R

16-12-2025

[1] Heard Mr. Y. Nirmolchand, learned senior counsel assisted by Ms. Y. Neha, learned counsel appearing for the petitioners.

Issue notice, returnable within four weeks.

Mr. Shyam Sharma, learned GA entered appearance and accepts notice on behalf of respondents No. 1 and 2, hence no formal notice is called for in respect of the said respondents.

Petitioners are to take steps for service of notice upon respondent No. 3 by dasti service as well as speed post service.

Steps should be taken within one week and the petitioner is to file an affidavit showing proof of service of such notice.

[2] The case of the petitioners is that both the petitioners as well as the respondent No. 3 are serving as Executive Engineer/ Equivalent in the Public Works Department, Manipur. The petitioners were appointed as Executive Engineer/ Equivalent on regular basis on

12-01-2022 and the respondent No. 3 was appointed as Executive Engineer/ Equivalent on 20-02-2023. According to the petitioners, they are Seniors to respondent No. 3 and that in the Tentative Seniority List of Executive Engineer/ Surveyor of Works/ Engineer Officer (Civil) of the Public Works Department, Manipur as on 01-04-2025, the name of the petitioners are shown above the private respondent No. 3 thereby indicating that the petitioners are senior to the private respondent No. 3. It is also the case of the petitioners that the said Tentative Seniority List has been made final.

[3] It is also the case of the petitioners that with a view to bring uniformity, clarity and enforceable norms in making in-charge arrangement, certain guidelines has been issued by the State Government by way of its Office Memorandum dated 03-10-2020. In para. 4 (ii) of the said Office Memorandum, it is, inter alia, provided that in the absence of any official eligible as per RR to fill up a particular post, the senior-most person amongst cadre/ officials belonging to the feeder post of the said particular post shall be appointed to hold the said post on in-charge basis.

[4] It has been submitted by the learned senior counsel appearing for the petitioners that in complete violation of the said guidelines for appointment on in-charge basis and without taking into consideration the seniority position viz-a-viz the petitioner and the private respondent No. 3, the Secretariat: Works Department issued an order dated 01-12-2025 by which the respondent No. 3 was transferred and

posted as in-charge Senior Project Manager/ EAP, which is equivalent to the post of Superintending Engineer.

[5] The learned senior counsel submitted that the said order dated 01-12-2025 allowing the respondent No. 3 to hold the higher post of Senior Project Manager/ EAP on in-charge basis is in contravention of the guidelines issued by the Government for appointment on in-charge basis and as such, the learned senior counsel prays for passing an interim order for suspending the operation of the said order in respect of the respondent No. 3 during the pendency of this writ petition.

[6] Mr. Shyam Sharma, learned GA appearing for the respondents No. 1 and 2 submitted that he may be given two weeks' time to get instruction from the authorities as to whether the Tentative Seniority List of Executive Engineer/ Equivalent of the Public Works Department had been finalized or not. The learned senior counsel also prays for passing an interim order in the presence of respondent No.3 and after obtaining instruction from the authorities.

[7] As prayed for by the learned GA, list these cases again on 13-02-2026 for consideration of the prayer for passing interim order. However, as an interim measure and till the next returnable date, the impugned order dated 01-12-2025 allowing the respondent No. 3 to hold the charge of Senior Project Manager/ EAP in the Public Works Department shall remain suspended in respect of the respondent No. 3 only.

As this interim order has been passed without hearing the private respondent No.3, liberty is given to the respondents to approach this court for modification/ alteration of this interim order even before the next returnable date.

JUDGE

Devananda