

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

MC(WP(C)) No. 92 of 2026

N. Khelemba Meitei

... Applicant

Vs.

RK Lalsana Singh & ors.

... Respondents

With

**MC(WP(C)) No. 917 of 2025 &
WP(C) No. 1000 of 2025**

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

O R D E R

13-02-2026

[1] Heard Mr. M. Rarry, learned senior counsel assisted by Ms. M. Nikita, learned counsel appearing for the applicant and Mr. Y. Nirmolchand, learned senior counsel assisted by Mr. L. Raju, learned counsel appearing for the respondents.

[2] The present application being MC(WP(C)) No. 92 of 2026 has been filed with the prayer for vacating/ modifying the interim stay order dated 16-12-2025 passed by this court in WP(C) No. 1000 of 2025.

[3] Mr. M. Rarry, learned senior counsel appearing for the applicant submitted that the said interim order has been passed without giving any notice to the present applicant and the same has been passed ex-parte as against the present applicant. The learned senior counsel advanced his argument for vacation/ modification of the interim order mainly on the ground that the petitioner has more experience and

expertise for work under EPC (Engineering Procurement Construction) Mode and Central Funding Projects and is familiar and well versed with supervising of road projects and have better experience in handling big road projects under EPC contract. The sum and substance of the argument advanced by the learned senior counsel is that the applicant has more expertise and experience than the writ petitioners for executing the work as Senior Project Manager/ EAP.

[4] It has also been submitted on behalf of the applicant that as the respondents have not filed any counter affidavit to the averments made by the applicant in the present application, the averments made by the applicant in this writ petition can be taken as true having been not controverted by the writ petitioners. The learned senior counsel further submitted that the applicant has already joined his posting pursuant to the order dated 01-12-2025 and if the interim order passed by this court is not vacated or modified, he will have no place to discharge his duties. The learned senior counsel, accordingly, prays for modifying/ vacating the interim order passed by this court.

[5] Mr. Y. Nirmolchand, learned senior counsel appearing for the writ petitioners/ respondents No. 1 and 2 in the present application submitted that as no notice has yet been issued in the present application, the petitioners cannot file any counter affidavit to the present application seeking for vacation or modification of the interim order. The learned senior counsel submitted that if two or three days' time is granted to the respondents No. 1 and 2, they will file their counter affidavit and the present application can be considered in the next week.

[6] The learned senior counsel for the writ petitioners/respondents No. 1 and 2 further submitted that so far as in-charge arrangement is concerned under the State Government, the Office Memorandum dated 03-10-2020 issued by the Department of Personnel & Administrative Reforms (DP), Government of Manipur will hold the field and as the applicant has not assailed the said O.M., he cannot say that the in-charge arrangement should be made solely for experience and expertise. It has also been submitted by the learned senior counsel that before issuing the impugned order dated 02-12-2025, no screening of the writ petitioners and the present applicant has ever been conducted and as such, the averments made by the applicant in his application that he has more expertise and experience than the writ petitioners cannot be accepted.

[7] Mr. Shyam Sharma, learned GA appearing for the State respondents submitted that he may be given a few days' time to receive instruction from the authorities as to whether any screening process to assess the experience and suitability of the candidates had been undertaken by the authorities before issuing the impugned order.

[8] Considering the submission made by the counsel appearing for the parties, registry is directed to list these cases again on 19-02-2026 for consideration of the application seeking for vacation/modification of the interim order.

[9] Mr. Shyam Sharma, learned GA is requested to obtain instruction from the authorities as indicated hereinabove and place the same before this court on the next date of hearing.

[10] At this juncture, Mr. M. Rarry, learned senior counsel appearing for the applicant submitted that the application seeking for vacation/ modification of the interim order may be disposed of today.

[11] In view of the narrative made hereinabove, this court is of the considered view that the present application cannot be disposed of at this stage. It is made clear that the writ petitioners should file counter affidavit to the present application on or before 17-02-2026 with advance copy to the learned counsel appearing for the other parties.

Earlier interim order shall continue till the next date.

JUDGE

Devananda