

ITEM NO.12+22 COURT NO.4 SECTION XIV-A
(HEARING THROUGH VIDEO CONFERENCING)

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Miscellaneous Application Nos.66-69 of 2020 in Civil Appeal
No.5797/2019

(Arising out of impugned final judgment and order dated 08-11-2019
in CONMT.PET.(C) No.1131/2019, 08-11-2019 in CONMT.PET.(C)
No.1132/2019, 08-11-2019 in CONMT.PET.(C) No.1138/2019, 08-11-2019
in CONMT.PET.(C) No.1139/2019 passed by the Supreme Court Of India)

RAJKUMAR BIJOY SINGH & ORS. Petitioner(s)

VERSUS

T RANJIT SINGH & ORS. Respondent(s)

(IA No.80693/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS)

WITH

MA No.133/2020 in C.A. No.5797/2019 (XIV-A)

MA No.1605/2020 in C.A. No.5797/2019 (XIV-A)
(FOR ADMISSION; IA No.88728/2020 - FOR EARLY HEARING APPLICATION;
IA No.80888/2020 - FOR EXEMPTION FROM FILING AFFIDAVIT; and, IA
No.80887/2020 - FOR CLARIFICATION/DIRECTION)

MA Diary No.20769/2020 in C.A. No.5797/2019 (XIV-A)
(IA No.98152/2020 - FOR PERMISSION; IA No.96911/2020 - FOR
APPROPRIATE ORDERS/DIRECTIONS; IA No.96914/2020 - FOR EXEMPTION
FROM FILING AFFIDAVIT; and, IA No.96910/2020 - FOR INTERVENTION
APPLICATION)

Date : 30-09-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

Counsel for the Parties:

Ms. Rajkumari Banju, AOR

Ms. Aparna Bhat, AOR
Ms. Karishma Maria, Adv.

Mr. N. Ranjit Kumar, Sr. Adv./AG
Mr. Ashutosh Dubey, AOR
Ms. Tamfamani, Adv.
Mr. Naorem Zequesan, Adv.
Mr. Abhishek Chauhan, Adv.
Ms. Rajshri Dubey, Adv.
Mr. V.S. Rawat, Adv.

Mr. Vikramjit Banerjee, ASG
Ms. Kiran Suri, Sr. Adv.
Mohd. Akhil, Adv.
Mr. Bharat Singh, Adv.
Mr. Mukul Singh, Adv.
Mr. Gurmeet Singh Makker, AOR

UPON hearing the counsel the Court made the following
O R D E R

Pursuant to order dated 14.09.2020 passed by this Court, an affidavit has been filed on behalf of the State of Manipur. Paragraphs 14 and 15 of the Affidavit disclose that the approval in respect of newly recruited Hindi Graduate Teachers was sought from the Finance Department of the State and that the approval in that behalf was given by the Finance Department vide communication dated 24.09.2020. Thereafter, the amounts representing salaries of the concerned 105 teachers in respect of the period from September to December 2019 have also been released. The documents in that behalf have been placed on record.

In paragraphs 17 and 18 of the affidavit, it is asserted:

"17. That, further, as regards the pending arrears for the months from January, 2020 to August, 2020 (eight months), the matter is under active consideration for payment on installment basis. However, the Department is not in a position to finalise the same in view of the economic dislocation of the State inflicted by the COVID-19 pandemic as well as implementation of the 7th Pay Commission in the State w.e.f. 01-04-2020. It is worth to mention herein that the State of Manipur is facing severe financial crunch and Office Memorandum No.2/2/2018-FR(1)

dated 24-09-2020 has been issued for taking up various economy measures.

A true and correct copy of the Office Memorandum dated 24.09.2020 in respect of the Hill Districts of Manipur is marked and annexed hereto as Annexure R-11 (Page No.30 to 33)

18. That on the other hand, in respect of payment of the regular salaries of the ongoing months, it is submitted that the process of verification of documents of the Hindi Graduate Teachers by the Directorate of Education (S) is nearing completion. Details of many employees have already been forwarded to the Finance Department for creation of EIN as well as updation of CMIS. Further, if the documents of the remaining teachers are found proper on verification, their details shall also be forwarded to the Finance Department for further necessary action and the entire process shall take not more than 10 (ten) days."

Considering the request so made, we adjourn these matters for three weeks. In the meantime, the State shall:

- a) Release the amounts representing the salary in respect of the period from September, 2019 to December, 2019 to the concerned teachers;
- b) Place for consideration of this Court the timeline within which the arrears for the period January 2020 to August 2020 (eight months) shall be paid by the State to the concerned teachers; and
- c) Release the payment representing the current salary, namely, for the month of September 2020, on or before 10.10.2020.

An affidavit to the aforesaid effect shall be filed by the State on or before the next date of hearing.

List these matters on 27.10.2020.

IA No.80887/2020 in MA No.1605/2020 and I.A. No.96911/2020 in MA Diary No.20769/2020:

Issue notice to the State, returnable on 27.10.2020.

The State shall respond to these applications before the next date of hearing.

**(MUKESH NASA)
COURT MASTER**

**(PRADEEP KUMAR)
BRANCH OFFICER**