

**THE HIGH COURT OF MANIPUR
AT IMPHAL**

WP(C) No. 1002 of 2018

1. Smt. Nongmaithem Memcha Devi, aged about 56 years, D/o (L) N. Ibomcha Singh, resident of Brahmapur Bheigyabati Leikai, P.S. Porompat, P.O. Imphal, Imphal East District, Manipur - 795001.
2. Smt. Meinam Sushila Devi, aged about 54 years, W/o N. Naba Singh, resident of Nagampal Kangjabi Leirak, P.S. Lamphel, P.O. Imphal, Imphal West District, Manipur – 795001.
3. Shri Ayekpam Ranjit Singh, aged about 56 years, S/o (L) A. Jate Singh, resident of Nagamapal Kangjabi Leirak, P.S. Lamphel, P.O. Imphal, Imphal West District, Manipur – 795001.
4. Shri Dinamani Haobam, aged about 39 years, S/o (L) Giri Mohan Haobam, resident of Brahmapur Bheigyabati Leikai, P.S. Porompat, P.O. Imphal, Imphal East District, Manipur - 795001.
5. Shri Hidangmayum Imo Sharma, aged about 41 years, S/o Hidangmayum Manglen Sharma, resident of Konjeng Leikai, Club Keithel, P.S. Singjmaei P.O. Canchipur, Imphal West District, Manipur - 795003.
6. Shri Soubam Dhaneswar, aged about 36 years, S/o S. Dhevendra Singh, resident of Sega Road Khwairakpam Leikai, P.S. / P.O. Imphal, Imphal West District, Manipur – 795001.

7. Shri S. Ashinikumar Singh, aged about 35 years, S/o S. Gunamani Singh, resident of Wangkhei Laishram Leikai, P.S. Porompat, P.O. Imphal, Imphal East District, Manipur – 795001.
8. Shri L. Gojen Singh, aged about 57 years, S/o (L) L. Udhop Singh, resident of Haobam Marak Lourembam Leikai, P.S. Singjamei, P.O. Imphal, Imphal West District, Manipur - 795001.
9. Shri Nipinchandra Singh Mayengbam, aged about 31 years, S/o M. Joychandra Singh, resident of Porompat Thawanthaba Leikai, Ayangpali Road, P.S. / P.O. Porompat, Imphal East District, Manipur - 795005.
10. Shri Thangjam Boboy Meetei, aged about 30 years, S/o Th. Biren Meetei, resident of Khurai Puthiba Leikai, Arambam Leirak, P.S Porompat, P.O. Lamlong, Imphal East District, Manipur - 795010.
11. Smt. S. Nirvarani Devi, aged about 54 years, W/o Laishram Shambhu Singh, resident of Kwakeithel Laishram Leikai, P.S. Singjamei, P.O. Imphal, Imphal West District, Manipur – 795001.
12. Smt. Sinam Tampha Devi, aged about 44 years, W/o Kh. Shitaljit Singh, resident of Singjamei Wangma Kshetri Leikai, P.S Irilbung, P.O. Imphal, Imphal East District, Manipur – 795001.
13. Smt. R.K. Premabati Devi, aged about 53 years, W/o W. Basantakumar Singh, resident of Keishamthong Next to Ramlal Paul Hr. Sec. School,

P.S/P.O. Imphal, Imphal West District, Manipur – 795001.

14. Smt. Merina Devi, aged about 38 years, W/o H. Bhushan Singh, resident Keishampat Leimajam Leikai, P.S./P.O. Imphal, Imphal West District, Manipur – 795001.
15. Smt. Th. Saroda Devi, aged about 57 years, W/o N. Ranjit Singh, resident of Khongman Okram Chuthek, P.S. Porompat, P.O. Canchipur, Imphal East District, Manipur - 795003.
16. Smt. N. Ruparani Devi, aged about 37 years, W/o Kh. Manikanta Singh, resident of Singjamei Makha Nongmeirakpam Leikai, P.S./P.O Singjamei, Imphal West District, Manipur - 795008.
17. Smt. Nongmeikapam Renubala Devi, aged about 32 years, W/o Yumnam Sanjit Singh, resident of Nagamapal Kangjabi Leirak, P.S. Lamphel, P.O. Imphal, Imphal West District, Manipur – 795001.
18. Smt. Mangsatabam Ibethoi Chanu, aged about 44 years, D/o Mangsatabam Lokendra, resident of Thongju Part II, Nameirakpam Leikai, P.S./P.O. Singjamei, Imphal West District, Manipur - 795008.
19. Smt. Laishram Bejalee Devi, aged about 39 years, D/o (L) Laishram Darendrajit Singh, resident of Khurai Kongpal Laishram Leikai, P.S. Porompat, P.O. Imphal, Imphal East District, Manipur - 795001.
20. Smt. Nahakpam Chakra Devi, aged about 40 years, D/o N. Mangi Singh, resident of Khurai

- Chingangbam Leikai, P.S. Porompat, P.O. Lamlong, Imphal East District, Manipur - 795010.
21. Smt. Majinlu Daimei, aged about 38 years, D/o Sanathoi Daimei, resident of Chingmeirong Rongmei Village, P.S. Lamphel, P.O. Lamlong, Imphal East District, Manipur - 795010.
 22. Smt. Serto Abouim Kom, aged about 33 years, D/o Serto Tomba Kom, resident of National Game Village, P.S. Lamphel, P.O. Lamphel, Imphal West District, Manipur - 795004.
 23. Smt. Sorokhaibam Sophia Devi, aged about 38 years, D/o Sorokhaibam Borjendra Singh, resident of Uripok Khaidem Leikai, P.S./P.O, Imphal, Imphal West District, Manipur - 795001.
 24. Smt. Senold Moirangthem, aged about 34 years, D/o Moirangthem Mobi Singh, resident of Naharup Pangong Makhong, P.S./P.O. Porompat, Imphal East District, Manipur - 795005.
 25. Smt. Mangsatabam Apasana Chanu, aged about 37 years, D/o Mangsatabam Lokendra, resident of Thongju Part II, Nameirakpam Leikai, P.S./P.O. Singjamei, Imphal West District, Manipur - 795008.
 26. Smt. Tekcham Ibemcha Devi, aged about 55 years, D/o T. Gopal Meitei, resident of Sagolmang Bazar, P.S. Lamlai, P.O. Lamlong, Imphal East District, Manipur - 795010.
 27. Smt. Jeena Kangabam, aged about 44 years, D/o Kangabam Babudhon Singh, resident of Segga Road

Thouda Bhavok Leikai, P.S. / P.O. Imphal, Imphal West District, Manipur - 795001.

28. Smt. Benita Takhellambam, aged about 34 years, D/o Takhellambam Shantikumar, resident of Kwakeithel Heinoukhongnembi, P.S. SIngjmaei, P.O. Imphal, Imphal West District, Manipur – 795001.
29. Smt. Hidangmayum Kunjalata, aged about 38 years, D/o (L) Hidangmayum Benimadhob Sharma, resident of Sagolband Salam Leikai, P.S. Imphal West, P.O. Imphal, Imphal West District, Manipur – 795001.
30. Smt. Ningthoujam Babita Chanu, aged about 49 years, D/o N. Dhananjoy, resident of Khurai Thoidingjam Leikai, Lamlong Bazar P.S./P.O. Porompat, Imphal East District, Manipur – 795005.
31. Smt. T. Inaobi Devi, aged about 39 years, W/o N. Kanto Singh, resident of Kongpal Khaidem Leikai Porompat D.C. Road, P.S/P.O. Porompat, Imphal East District, Manipur – 795005.
32. Smt. Mumtaz Begum, aged about 49 years, W/o Md. Ajimmuddin Shah, resident of Koirang Mamang Leikai, P.S. Heingang, P.O. Pangei, Imphal East District, Manipur - 795114.
33. Smt. Reemila Devi Sh., aged about 37 years, W/o Oinam Rajen Singh, resident of Leimapokpam Awang Leikai, P.S./P.O. Nambol, Bishnupur District, Manipur - 795132.

34. Smt. Lhingjaneng Haokip, aged about 36 years, W/o Thenkhohao Haokip, resident of Langjang village, P.S. / P.O. C.Cpur, Churachandpur District, Manipur - 795128.
35. Smt. Seram Ranita Devi, aged about 48 years, W/o Thokchom Jiten Singh, resident of Singjamei Mathak Thokchom Leikai, P.S./P.O. Imphal, Imphal West District, Manipur - 795001.
36. Smt. P.S. Chunhiamliu, aged about 39 years, W/o Gonmei Gaisingam, resident of Neikanlong Thangmeiband, P.S. Lamphel P.O. Imphal, Imphal West District, Manipur – 795001.
37. Smt. L. Siroita Chanu, aged about 35 years, D/o L. Nonganjao Meitei, resident of Chingarel Tejpur, P.S. /P.O. Porompat, Imphal East District, Manipur – 795005.
38. Smt. M. Bimola Devi, aged about 47 years, W/o Ashem Ramesh Singh, resident of Nagamapal Singjubung Leirak, P.S./P.O. Imphal, Imphal West District, Manipur - 795001.
39. Smt. Jennifer Serto, aged about 41 years, W/o Angthoi Sankil George, resident of Palace compound, Thangapat, P.S. / P.O. Porompat, Imphal East District, Manipur – 795005.
40. Smt. Kanchanbala Naorem, aged about 42 years, W/o Laishram Rishikanta Singh, resident of Lalambung Makhong RIMS Road, P.S. / P.O. Lamphel, Imphal West District, Manipur – 795004.

41. Smt. Phurailatpam Pritam Devi, aged about 44 years, resident of Wahengbam Makha Leikai, P.S. / P.O. Imphal, Imphal West District, Manipur – 795001.
42. Smt. Basanti Yendrambam, aged about 38 years, W/o M. Sanjit Sharma, resident of Singjamei Wangma Bheigyabati Leikai, P.S. / P.O. Porompat, Imphal East District, Manipur – 795005.
43. Smt. Sharmila Oinam, aged about 37 years, W/o Thangjam Rishi Anand, resident of Keishampat Aheibam Leikai, P.S./P.O. Imphal, Imphal West District, Manipur – 795001.
44. Smt. Sophia Dayal, aged about 32 years, D/o Dy. Benjamin, resident of Tampi Village, P.S. / P.O. Chakpikarong, Chandel District, Manipur – 795102.
45. Smt. Ch. Anjali Devi, aged about 32 years, W/o Karam Alex Singh, resident of Sagolband Moirang Hanuba, P.S. / P.O. Imphal, Imphal West District, Manipur – 795001.
46. Smt. T. Allen Chanu, aged about 45 years, W/o Laisom Sharmeswar Singh, resident of Keishamthong Laisom Leirak, P.S. / P.O. Imphal, Imphal West District, Manipur – 795001.
47. Smt. Wonri Zinik Kachui, aged about 48 years, W/o Ako Anthony, resident of Poiroutongba Village, P.S. Andro P.O. Thoubal, Thoubal District, Manipur - 795138.

48. Smt. H. Koshinah, aged about 41 years, W/o (L) Jonah Siro, resident of Tarong Village, P.S./P.O. Kasom Khullen, Kasom Khullen District, Manipur - 795149.
49. Smt. Athary Somi Won, aged about 42 years, W/o Chithung Jidemas, resident of Shungriphai Village, P.S. Yairipok, P.O. Sarampatong, Kamjong District, Manipur - 795149.
50. Smt. Sophia Kashung, aged about 44 years, W/o Eureka Rimai, resident of Nagaram Stadium Raod, P.S Lamphel P.O. Lamlong, Imphal West District, Manipur - 795010.
51. Smt. Mufidun Nesha, aged about 55 years, D/o (L) Md. Kasim Ali., resident of Keikhu Mayai Leikai, Kshetrigaon, P.S./P.O. Porompat, Imphal East District, Manipur – 795005.
52. Smt. Shamim, aged about 43 years, W/o Md. Rafi, resident of Khergao Awang Leikai, Keshtrigaon, P.S/P.O. Porompat, Imphal East District, Manipur – 795005.
53. Smt. Binarani Kangabam, aged about 43 years, W/o R.L. Tomma Singh, resident of Keishampat Leimajam Leikai, P.S. / P.O. Imphal, Imphal West District, Manipur – 795001.
54. Smt. Ningthoujam Poppy Chanu, aged about 39 years, W/o Subhaschandra Konthoujam, resident of Sega Road Thouba Bhabok Leikai, P.S./P.O. Imphal, Imphal West District, Manipur – 795001.

55. Smt. Moirangthem Tabopi Devi, aged about 44 years, W/o Yaikhomg Kiran Singh, resident of Sagolband Salam Leikai, P.S./P.O. Imphal, Imphal West District, Manipur – 795001.
56. Smt. Rosy Chirom, aged about 41 years, D/o Kulapati Takhellambam, resident of Kwakeithel Mayaikoibi, P.S. Lamphel, P.O. Imphal, Imphal West District, Manipur – 795001.
57. Roshni Chongtham, aged about 23 years, D/o Chongtham Purnachandra Singh, resident of Kwakeithel Laishram Leikai, P.S. Singjamei, P.O. Imphal, Imphal West District, Manipur – 795001.
58. Smt. Uma Salam, aged about 36 years, D/o Salam Nabchandra Singh, resident of Ningomthong Bazar, P.S. Singjamei, P.O. Canchipur, Imphal East District, Manipur - 795003.
59. Smt. Ngangbam Nandita, aged about 41 years, W/o Waikhom Brajakumar, resident of Thangal Bazar Alu Gali, P.S/P.O. Imphal, Imphal West District, Manipur – 795001.
60. Smt. Achunmei Dangmei, aged about 44 years, W/o Thaimeilan Thaimai, resident of Keishamthong Kabui Colony, P.S. /P.O. Imphal, Imphal West District, Manipur – 795001.
61. Smt. Athokpam Chitra Devi, aged about 34 years, W/o Sh. Dhaneshwor Singh, resident of Meitram Makha Leikai, P.S/P.O. Nambol, Bishnupur District, Manipur - 795134.

62. Smt. Melanie Thangjam, aged about 45 years, W/o Debeshwar Singh Akoijam, resident of Chingamakha Maisnam Leikai, Maibam Leirak, P.S./P.O. Singjamei, Imphal West District, Manipur – 795008.
63. Smt. R.K. Reena Devi, aged about 44 years, W/o M. Sanjatkumar Singh, resident of Sangaiprou Maning Leikai, P.S. Lamphel, P.O. Imphal, Imphal West District, Manipur – 795001.
64. Smt. Betty Laitonjam, aged about 40 years, w/o Laisom Santosh, resident of Keishamthong Laisom Leirak, P.S. /P.O. Imphal, Imphal West District, Manipur – 795001.
65. Smt. Akoijam Romika Devi, aged about 45 years, D/o A.K. Bijoy, resident of Sayang, P.S. Patsoi, P.O. Lamshang, Imphal West District, Manipur - 795146.
66. Smt. Ranjeeta Thoudam, aged about 43 years, W/o Laishram Deepak Kumar, resident of Keishamthong Maning Longjam Leikai, P.S/P.O. Imphal, Imphal West District, Manipur – 795001.
67. Smt. Loitongbam Sharmeelee, aged about 40 years, W/o Ng. Surjakanta, resident of Khagempalli Panthak, P.S./P.O. Imphal, Imphal West District, Manipur – 795001.
68. Smt. Huidrom Metabina Devi, aged about 51 years, W/o Ng. Pamheiba Singh, resident of Yumnam Leikai Chingamathak, P.S./P.O. Imphal, Imphal West District, Manipur – 795001.

69. Smt. R.K. Babita Devi, aged about 48 years, D/o (L) R.K. Nawabsana Singh, resident of Keishamthong Ahanthem Leikai, P.S / P.O. Imphal, Imphal West District, Manipur – 795001.
70. Smt. I. Ashalata Devi, aged about 39 years, W/o Maibam Biren Singh, resident of Keishampat Keisham Leikai, P.S / P.O. Imphal, Imphal West District, Manipur – 795001.
71. Smt. Th. Sunibala Devi, aged about 42 years, W/o (L) Soibam Momocha Singh, resident of Heirangoithong Makha Maibam Leikai, P.S/P.O. Singjamei, Imphal West District, Manipur - 795008.
72. Smt. L. Indira Devi, aged about 41 years, W/o Huidrom Sanatomba Singh, resident of Chingamathak Nameirakpam Leikai, P.S/P.O. Singjamei, Imphal West District, Manipur – 795008.
73. Smt. Devala Akoijam, aged about 33 years, W/o R.K. Robindro, resident of Singjamei Okram Leikai, P.S / P.O. Singjamei, Imphal West District, Manipur – 795008.
74. Smt. Kh. Bidyarani Devi, aged about 57 years, W/o (L) Y. Hemchandra Singh, resident of Khurai Thoudam Leikai, P.S. Porompat, P.O. Lamlong, Imphal East District, Manipur - 795010.
75. Smt. Toijam Bina Devi, aged about 46 years, W/o Th. Munindro Singh, resident of Khurai Thangjam Leikai, P.S. Porompat, P.O. Lamlong, Imphal East District, Manipur - 795010.

76. Smt. Th. Romita Devi, aged about 44 years, W/o Laishram Deben Singh, resident of Naoremthong Laishram Leikai, P.S. Lamphel, P.O. Imphal, Imphal West District, Manipur - 795001.
77. Smt. Th. Kamala Devi, aged about 44 years, W/o Sagapam Lolendro Singh, resident of Khurai Konsam Leikai, P.S. Porompat, P.O. Lamlong, Imphal East District, Manipur - 795010.
78. Smt. L. Sunitibala Devi, aged about 45 years, W/o (L) Thangjam Kirankumar Singh, resident of Sagolband Moirang Leirak, P.S /P.O. Imphal, Imphal West District, Manipur – 795001.
79. Smt. Pratibha Khoyumthem, aged about 44 years, W/o Pradip Phanjoubam, resident of Wangkhei Konsam Leikai, P.S / P.O. Porompat, Imphal East District, Manipur - 795005.
80. Smt. Ch. Nirmala Devi, aged about 44 years, W/o Mutum Oken Singh, resident of Kongba Kshetri Leikai, P.S. Irilbung, P.O. Singjamei, Imphal East District, Manipur - 795008.
81. Smt. M. Elikim, aged about 40 years, W/o R. Jacob, resident of G/31 Langol Housing Complex, P.S. / P.O. Lamphel, Imphal West District, Manipur - 795004.
82. Smt. Nurjahan Begum, aged about 55 years, W/o (L) Koyamuddin, resident of Sawombung Makha Leikai, P.S / P.O. Wangoi, Imphal West District, Manipur - 795009.

83. Smt. Neeta Sareo, aged about 47 years, W/o Ngamrei Raikhan, resident of Lamphel, Sanakeithel, P.S / P.O. Lamphel, Imphal West District, Manipur - 795004.
84. Smt. RS Onery, aged about 40 years, W/o Shangreikan Mahak, resident of Ngainga Village, P.S. / P.O. Somalal, Ukhrul District, Manipur - 795142.
85. Smt. I. Ranjana Devi, aged about 48 years, W/o M. Lokendro Singh, resident of Heirangoithong Yangam Leirak, P.S / P.O. Imphal, Imphal West District, Manipur – 795001.
86. Smt. T. Leina, aged about 49 years, W/o M. Bhagyachandra, resident of Palace Compound, P.S / P.O. Imphal East, Imphal East District, Manipur - 795005.
87. Smt. L. Aruna Devi, aged about 49 years, W/o K. Santoskumar, resident of Thongju Part. II, P.S / P.O. Singjamei, Imphal East District, Manipur - 795008.
88. Smt. Mumtaz Begum, aged about 40 years, W/o Rabul Shah, resident of Irong Chesaba Mayai Leikai, P.S. / P.O. Mayang Imphal, Imphal West District, Manipur - 795132.
89. Smt. Oinam Ibemhal Chanu, aged 43 years, W/o Thongam Manimohon, resident of New Checkon, P.S. / P./O Porompat, Imphal East District, Manipur - 795005.

90. Smt. Laishram Ranjana Devi, aged about 38 years, D/o (L) L. Jugeshwor Singh, resident of Khagempalli Panthak, P.S / P.O. Imphal, Imphal West District, Manipur - 795001.
91. Smt. Maibam Binolata Devi, aged 39 years, D/o Maibam Dhananjoy Singh, resident of Heirangoithong Ningthoujam Leikai, P.S. / P.O. Singjamei, Imphal West District, Manipur - 795008.
92. Smt. Waikhom Monteshwari Chanu, aged about 40 years, D/o W. Jugeshwar Singh, resident of Wabagai Lai Pungalba Manak, P.S. / P.O. Kakching, Kakching District, Manipur - 795003.

... .. **Petitioners.**

- **VERSUS** -

1. The State of Manipur represented by the Principal Secretary / Commissioner / Secretary (Social Welfare), Government of Manipur, Secretariat, Imphal,
2. The Director of Social Welfare, Government of Manipur, Imphal, Manipur,
3. The Manipur Public Service Commission through its Secretary, North AOC, Imphal, Manipur,

..... **Official Respondents.**

4. Ms. Miranda Yendrebam, aged about 32 years, D/o Yendrebam Radhakishore Singh, a resident of Singjamei Mathak Chongtham Leikai, near

Iboyaima Hospital, P.O. Singjamei & P.S. Imphal West, Imphal West District, Manipur-795001,

5. Mr. Sapam Punshiba Khuman, aged about 31 years, S/o Sapam Pari Khuman, a resident of HeibongpokpiMayai Leikai, P.O. & P.S. Lamsang, Imphal West District, Manipur-795146,
6. Mr. Ningthoujam Browny Meitei, aged about 29 years, S/o N. Biren, a resident of Soibam Leikai, Khanglabung Leirak, Manipur P.O. & P.S. Porompat, Imphal East District, Manipur-795142,
7. Mr. Joseph L. Joute, aged about 39 years, S/o Saidoklum Joute, a resident of Sielmat, P.O. & P.S. Churanchandpur, Churachandpur District, Manipur-795128,
8. Ms. Phalneihing Kipgen, aged about 32 years, D/o Amlenkai Kipgen, a resident of Haipi Village, B.P.O. Kalapahar, P.S. Kangpokpi, Kangpokpi District, Manipur-795122,
9. Ms. Ningmisai Ningshen, aged about 28 years, D/o Shimreishang Ningshen, a resident of Loushing Village, P.O. Letan, P.S. Phungyar, Ukhrul District, Manipur-795145,
10. Ms. Ruth Nengneihing, aged about 39 years, D/o Janglet Lunkim, a resident of Gamhoiveng, Ward No. 13 P.O. & P.S. Kangpokpi, Kangpokpi District, Manipur-795129,
11. Ms. Phurailatpam Rajluxmi Sharma, aged about 31 years, D/o Ph. Bijenkumar Sharma, a resident of Brahmapur Thangapat Mapal, Lakpam Leirak, P.O.

& P.S. Porompat, Imphal East District, Manipur-795005,

12. Ms. Wangkheimayum Kajal Devi, aged about 30 years, D/o W. Ronendro Singh, a resident of Khundrakpam Makha Leikai, P.O. Pangei P.S. Sagolmang, Imphal East District, Manipur-795114,
13. Mr. Shangreiso Ahum, aged about 29 years, S/o Khalangshing Ahum, a resident of Ringui(Tongou), P.O. Ringui & P.S. Somdal, Ukhrul District, Manipur-795142.

-(Impleaded, -vide order dated 11-07-2022)

.....**Private Respondents.**

MC(WP(C)) No. 228 of 2021

Ref:- WP(C) No. 1002 of 2018

The Manipur Public Service Commission,
through its Secretary, North AOC, Imphal,
Manipur.

.....***Applicant***

-Versus-

1. Smt. Nongmaithem Memcha Devi, aged about 56 years, D/o (L) N. Ibomcha Singh, resident of Brahmapur Bheigyabati Leikai, P.S. Porompat, P.O. Imphal, Imphal East District, Manipur - 795001.
2. Smt. Meinam Sushila Devi, aged about 54 years, W/o N. Naba Singh, resident of Nagampal Kangjabi Leirak, P.S. Lamphel, P.O. Imphal, Imphal West District, Manipur – 795001.

3. Shri Ayekpam Ranjit Singh, aged about 56 years, S/o (L) A. Jate Singh, resident of Nagamapal Kangjabi Leirak, P.S. Lamphel, P.O. Imphal, Imphal West District, Manipur – 795001.
4. Shri Dinamani Haobam, aged about 39 years, S/o (L) Giri Mohan Haobam, resident of Brahmapur Bheigyabati Leikai, P.S. Porompat, P.O. Imphal, Imphal East District, Manipur - 795001.
5. Shri Hidangmayum Imo Sharma, aged about 41 years, S/o Hidangmayum Manglen Sharma, resident of Konjeng Leikai, Club Keithel, P.S. Singjmaei P.O. Canchipur, Imphal West District, Manipur - 795003.
6. Shri Soubam Dhaneswar, aged about 36 years, S/o S. Dhevendra Singh, resident of Sega Road Khwairakpam Leikai, P.S. / P.O. Imphal, Imphal West District, Manipur – 795001.
7. Shri S. Ashinikumar Singh, aged about 35 years, S/o S. Gunamani Singh, resident of Wangkhei Laishram Leikai, P.S. Porompat, P.O. Imphal, Imphal East District, Manipur – 795001.
8. Shri L. Gojen Singh, aged about 57 years, S/o (L) L. Udhop Singh, resident of Haobam Marak Lourebam Leikai, P.S. Singjamei, P.O. Imphal, Imphal West District, Manipur - 795001.
9. Shri Nipinchandra Singh Mayengbam, aged about 31 years, S/o M. Joychandra Singh, resident of Porompat Thawanthaba Leikai, Ayangpali Road,

P.S. / P.O. Porompat, Imphal East District,
Manipur - 795005.

10. Shri Thangjam Boboy Meetei, aged about 30 years, S/o Th. Biren Meetei, resident of Khurai Puthiba Leikai, Arambam Leirak, P.S Porompat, P.O. Lamlong, Imphal East District, Manipur - 795010.
11. Smt. S. Nirvarani Devi, aged about 54 years, W/o Laishram Shambhu Singh, resident of Kwakeithel Laishram Leikai, P.S. Singjamei, P.O. Imphal, Imphal West District, Manipur – 795001.
12. Smt. Sinam Tampha Devi, aged about 44 years, W/o Kh. Shitaljit Singh, resident of Singjamei Wangma Kshetri Leikai, P.S Irilbung, P.O. Imphal, Imphal East District, Manipur – 795001.
13. Smt. R.K. Premabati Devi, aged about 53 years, W/o W. Basantakumar Singh, resident of Keishamthong Next to Ramlal Paul Hr. Sec. School, P.S/P.O. Imphal, Imphal West District, Manipur – 795001.
14. Smt. Merina Devi, aged about 38 years, W/o H. Bhushan Singh, resident Keishampat Leimajam Leikai, P.S./P.O. Imphal, Imphal West District, Manipur – 795001.
15. Smt. Th. Saroda Devi, aged about 57 years, W/o N. Ranjit Singh, resident of Khongman Okram Chuthek, P.S. Porompat, P.O. Canchipur, Imphal East District, Manipur - 795003.

16. Smt. N. Ruparani Devi, aged about 37 years, W/o Kh. Manikanta Singh, resident of Singjamei Makha Nongmeirakpam Leikai, P.S./P.O Singjamei, Imphal West District, Manipur - 795008.
17. Smt. Nongmeikapam Renubala Devi, aged about 32 years, W/o Yumnam Sanjit Singh, resident of Nagamapal Kangjabi Leirak, P.S. Lamphel, P.O. Imphal, Imphal West District, Manipur – 795001.
18. Smt. Mangsatabam Ibethoi Chanu, aged about 44 years, D/o Mangsatabam Lokendra, resident of Thongju Part II, Nameirakpam Leikai, P.S./P.O. Singjamei, Imphal West District, Manipur - 795008.
19. Smt. Laishram Bejalee Devi, aged about 39 years, D/o (L) Laishram Darendrajit Singh, resident of Khurai Kongpal Laishram Leikai, P.S. Porompat, P.O. Imphal, Imphal East District, Manipur - 795001.
20. Smt. Nahakpam Chakra Devi, aged about 40 years, D/o N. Mangi Singh, resident of Khurai Chingangbam Leikai, P.S. Porompat, P.O. Lamlong, Imphal East District, Manipur - 795010.
21. Smt. Majinlu Daimei, aged about 38 years, D/o Sanathoi Daimei, resident of Chingmeirong Rongmei Village, P.S. Lamphel, P.O. Lamlong, Imphal East District, Manipur - 795010.
22. Smt. Serto Abouim Kom, aged about 33 years, D/o Serto Tomba Kom, resident of National Game

- Village, P.S. Lamphel, P.O. Lamphel, Imphal West District, Manipur - 795004.
23. Smt. Sorokhaibam Sophia Devi, aged about 38 years, D/o Sorokhaibam Borjendra Singh, resident of Uripok Khaidem Leikai, P.S./P.O, Imphal, Imphal West District, Manipur - 795001.
 24. Smt. Senold Moirangthem, aged about 34 years, D/o Moirangthem Mobi Singh, resident of Naharup Pangong Makhong, P.S./P.O. Porompat, Imphal East District, Manipur - 795005.
 25. Smt. Mangsatabam Apasana Chanu, aged about 37 years, D/o Mangsatabam Lokendra, resident of Thongju Part II, Nameirakpam Leikai, P.S./P.O. Singjamei, Imphal West District, Manipur - 795008.
 26. Smt. Tekcham Ibemcha Devi, aged about 55 years, D/o T. Gopal Meitei, resident of Sagolmang Bazar, P.S. Lamlai, P.O. Lamlong, Imphal East District, Manipur - 795010.
 27. Smt. Jeena Kangabam, aged about 44 years, D/o Kangabam Babudhon Singh, resident of Sega Road Thouda Bhavok Leikai, P.S. / P.O. Imphal, Imphal West District, Manipur - 795001.
 28. Smt. Benita Takhellambam, aged about 34 years, D/o Takhellambam Shantikumar, resident of Kwakeithel Heinoukhongnembi, P.S. SIngjmaei, P.O. Imphal, Imphal West District, Manipur – 795001.

29. Smt. Hidangmayum Kunjalata, aged about 38 years, D/o (L) Hidangmayum Benimadhob Sharma, resident of Sagolband Salam Leikai, P.S. Imphal West, P.O. Imphal, Imphal West District, Manipur – 795001.
30. Smt. Ningthoujam Babita Chanu, aged about 49 years, D/o N. Dhananjoy, resident of Khurai Thoidingjam Leikai, Lamlong Bazar P.S./P.O. Porompat, Imphal East District, Manipur – 795005.
31. Smt. T. Inaobi Devi, aged about 39 years, W/o N. Kanto Singh, resident of Kongpal Khaidem Leikai Porompat D.C. Road, P.S/P.O. Porompat, Imphal East District, Manipur – 795005.
32. Smt. Mumtaz Begum, aged about 49 years, W/o Md. Ajimmuddin Shah, resident of Koirang Mamang Leikai, P.S. Heingang, P.O. Pangei, Imphal East District, Manipur - 795114.
33. Smt. Reemila Devi Sh., aged about 37 years, W/o Oinam Rajen Singh, resident of Leimapokpam Awang Leikai, P.S./P.O. Nambol, Bishnupur District, Manipur - 795132.
34. Smt. Lhingjaneng Haokip, aged about 36 years, W/o Thenkhohao Haokip, resident of Langjang village, P.S. / P.O. C.Cpur, Churachandpur District, Manipur - 795128.
35. Smt. Seram Ranita Devi, aged about 48 years, W/o Thokchom Jiten Singh, resident of Singjamei

- Mathak Thokchom Leikai, P.S./P.O. Imphal, Imphal West District, Manipur - 795001.
36. Smt. P.S. Chunhiamliu, aged about 39 years, W/o Gonmei Gaisingam, resident of Neikanlong Thangmeiband, P.S. Lamphel P.O. Imphal, Imphal West District, Manipur – 795001.
37. Smt. L. Siroita Chanu, aged about 35 years, D/o L. Nonganjao Meitei, resident of Chingarel Tejpur, P.S. /P.O. Porompat, Imphal East District, Manipur – 795005.
38. Smt. M. Bimola Devi, aged about 47 years, W/o Ashem Ramesh Singh, resident of Nagamapal Singjubung Leirak, P.S./P.O. Imphal, Imphal West District, Manipur - 795001.
39. Smt. Jennifer Serto, aged about 41 years, W/o Angthoi Sankil George, resident of Palace compound, Thangapat, P.S. / P.O. Porompat, Imphal East District, Manipur – 795005.
40. Smt. Kanchanbala Naorem, aged about 42 years, W/o Laishram Rishikanta Singh, resident of Lalambung Makhong RIMS Road, P.S. / P.O. Lamphel, Imphal West District, Maniput – 795004.
41. Smt. Phurailatpam Pritam Devi, aged about 44 years, resident of Wahengbam Makha Leikai, P.S. / P.O. Imphal, Imphal West District, Manipur – 795001.
42. Smt. Basanti Yendrambam, aged about 38 years, W/o M. Sanjit Sharma, resident of Singjamei

- Wangma Bheigyabati Leikai, P.S. / P.O. Porompat, Imphal East District, Manipur – 795005.
43. Smt. Sharmila Oinam, aged about 37 years, W/o Thangjam Rishi Anand, resident of Keishampat Aheibam Leikai, P.S./P.O. Imphal, Imphal West District, Manipur – 795001.
44. Smt. Sophia Dayal, aged about 32 years, D/o Dy. Benjamin, resident of Tampi Village, P.S. / P.O. Chakpikarong, Chandel District, Manipur – 795102.
45. Smt. Ch. Anjali Devi, aged about 32 years, W/o Karam Alex Singh, resident of Sagolband Moirang Hanuba, P.S. / P.O. Imphal, Imphal West District, Manipur – 795001.
46. Smt. T. Allen Chanu, aged about 45 years, W/o Laisom Sharmeswar Singh, resident of Keishamthong Laisom Leirak, P.S. / P.O. Imphal, Imphal West District, Manipur – 795001.
47. Smt. Wonri Zinik Kachui, aged about 48 years, W/o Ako Anthony, resident of Poiroutongba Village, P.S. Andro P.O. Thoubal, Thoubal District, Manipur - 795138.
48. Smt. H. Koshinah, aged about 41 years, W/o (L) Jonah Siro, resident of Tarong Village, P.S./P.O. Kasom Khullen, Kasom Khullen District, Manipur - 795149.
49. Smt. Athary Somi Won, aged about 42 years, W/o Chithung Jidemas, resident of Shungriphai Village,

- P.S. Yairipok, P.O. Sarampatong, Kamjong District, Manipur - 795149.
50. Smt. Sophia Kashung, aged about 44 years, W/o Eureka Rimai, resident of Nagaram Stadium Raod, P.S Lamphel P.O. Lamlong, Imphal West District, Manipur - 795010.
51. Smt. Mufidun Neshia, aged about 55 years, D/o (L) Md. Kasim Ali., resident of Keikhu Mayai Leikai, Kshetrigaon, P.S./P.O. Porompat, Imphal East District, Manipur – 795005.
52. Smt. Shamim, aged about 43 years, W/o Md. Rafi, resident of Khergao Awang Leikai, Keshtrigaon, P.S/P.O. Porompat, Imphal East District, Manipur – 795005.
53. Smt. Binarani Kangabam, aged about 43 years, W/o R.L. Tomma Singh, resident of Keishampat Leimajam Leikai, P.S. / P.O. Imphal, Imphal West District, Manipur – 795001.
54. Smt. Ningthoujam Poppy Chanu, aged about 39 years, W/o Subhaschandra Konthoujam, resident of Sega Road Thouba Bhabok Leikai, P.S./P.O. Imphal, Imphal West District, Manipur – 795001.
55. Smt. Moirangthem Tabopi Devi, aged about 44 years, W/o Yaikhomg Kiran Singh, resident of Sagolband Salam Leikai, P.S./P.O. Imphal, Imphal West District, Manipur – 795001.
56. Smt. Rosy Chirom, aged about 41 years, D/o Kulapati Takhellambam, resident of Kwakeithel

- Mayaikoibi, P.S. Lamphel, P.O. Imphal, Imphal West District, Manipur – 795001.
57. Roshni Chongtham, aged about 23 years, D/o Chongtham Purnachandra Singh, resident of Kwakeithel Laishram Leikai, P.S. Singjamei, P.O. Imphal, Imphal West District, Manipur – 795001.
58. Smt. Uma Salam, aged about 36 years, D/o Salam Nabchandra Singh, resident of Ningomthong Bazar, P.S. Singjamei, P.O. Canchipur, Imphal East District, Manipur - 795003.
59. Smt. Ngangbam Nandita, aged about 41 years, W/o Waikhom Brajakumar, resident of Thangal Bazar Alu Gali, P.S/P.O. Imphal, Imphal West District, Manipur – 795001.
60. Smt. Achunmei Dangmei, aged about 44 years, W/o Thaimeilan Thaimei, resident of Keishamthong Kabui Colony, P.S. /P.O. Imphal, Imphal West District, Manipur – 795001.
61. Smt. Athokpam Chitra Devi, aged about 34 years, W/o Sh. Dhaneshwor Singh, resident of Meitram Makha Leikai, P.S/P.O. Nambol, Bishnupur District, Manipur - 795134.
62. Smt. Melanie Thangjam, aged about 45 years, W/o Debeshwar Singh Akoijam, resident of Chingamakha Maisnam Leikai, Maibam Leirak, P.S./P.O. Singjamei, Imphal West District, Manipur – 795008.

63. Smt. R.K. Reena Devi, aged about 44 years, W/o M. Sanjtkumar Singh, resident of Sangaiprou Maning Leikai, P.S. Lamphel, P.O. Imphal, Imphal West District, Manipur – 795001.
64. Smt. Betty Laitonjam, aged about 40 years, w/o Laisom Santosh, resident of Keishamthong Laisom Leirak, P.S. /P.O. Imphal, Imphal West District, Manipur – 795001.
65. Smt. Akoijam Romika Devi, aged about 45 years, D/o A.K. Bijoy, resident of Sayang, P.S. Patsoi, P.O. Lamshang, Imphal West District, Manipur - 795146.
66. Smt. Ranjeeta Thoudam, aged about 43 years, W/o Laishram Deepak Kumar, resident of Keishamthong Maning Longjam Leikai, P.S/P.O. Imphal, Imphal West District, Manipur – 795001.
67. Smt. Loitongbam Sharmeelee, aged about 40 years, W/o Ng. Surjakanta, resident of Khagempalli Panthak, P.S./P.O. Imphal, Imphal West District, Manipur – 795001.
68. Smt. Huidrom Metabina Devi, aged about 51 years, W/o Ng. Pamheiba Singh, resident of Yumnam Leikai Chingamathak, P.S./P.O. Imphal, Imphal West District, Manipur – 795001.
69. Smt. R.K. Babita Devi, aged about 48 years, D/o (L) R.K. Nawabsana Singh, resident of Keishamthong Ahanthem Leikai, P.S / P.O. Imphal, Imphal West District, Manipur – 795001.

70. Smt. I. Ashalata Devi, aged about 39 years, W/o Maibam Biren Singh, resident of Keishampat Keisham Leikai, P.S / P.O. Imphal, Imphal West District, Manipur – 795001.
71. Smt. Th. Sunibala Devi, aged about 42 years, W/o (L) Soibam Momocha Singh, resident of Heirangoithong Makha Maibam Leikai, P.S/P.O. Singjamei, Imphal West District, Manipur - 795008.
72. Smt. L. Indira Devi, aged about 41 years, W/o Huidrom Sanatomba Singh, resident of Chingamathak Nameirakpam Leikai, P.S/P.O. Singjamei, Imphal West District, Manipur – 795008.
73. Smt. Devala Akoijam, aged about 33 years, W/o R.K. Robindro, resident of Singjamei Okram Leikai, P.S / P.O. Singjamei, Imphal West District, Manipur – 795008.
74. Smt. Kh. Bidyarani Devi, aged about 57 years, W/o (L) Y. Hemchandra Singh, resident of Khurai Thoudam Leikai, P.S. Porompat, P.O. Lamlong, Imphal East District, Manipur - 795010.
75. Smt. Toijam Bina Devi, aged about 46 years, W/o Th. Munindro Singh, resident of Khurai Thangjam Leikai, P.S. Porompat, P.O. Lamlong, Imphal East District, Manipur - 795010.
76. Smt. Th. Romita Devi, aged about 44 years, W/o Laishram Deben Singh, resident of Naoremthong

- Laishram Leikai, P.S. Lamphel, P.O. Imphal, Imphal West District, Manipur - 795001.
77. Smt. Th. Kamala Devi, aged about 44 years, W/o Sagapam Lolendro Singh, resident of Khurai Konsam Leikai, P.S. Porompat, P.O. Lamlong, Imphal East District, Manipur - 795010.
78. Smt. L. Sunitibala Devi, aged about 45 years, W/o (L) Thangjam Kirankumar Singh, resident of Sagolband Moirang Leirak, P.S /P.O. Imphal, Imphal West District, Manipur – 795001.
79. Smt. Pratibha Khoyumthem, aged about 44 years, W/o Pradip Phanjoubam, resident of Wangkhei Konsam Leikai, P.S / P.O. Porompat, Imphal East District, Manipur - 795005.
80. Smt. Ch. Nirmala Devi, aged about 44 years, W/o Mutum Oken Singh, resident of Kongba Kshetri Leikai, P.S. Irilbung, P.O. Singjamei, Imphal East District, Manipur - 795008.
81. Smt. M. Elikim, aged about 40 years, W/o R. Jacob, resident of G/31 Langol Housing Complex, P.S. / P.O. Lamphel, Imphal West District, Manipur - 795004.
82. Smt. Nurjahan Begum, aged about 55 years, W/o (L) Koyamuddin, resident of Sawombung Makha Leikai, P.S / P.O. Wangoi, Imphal West District, Manipur - 795009.
83. Smt. Neeta Sareo, aged about 47 years, W/o Ngamrei Raikhan, resident of Lamphel,

- Sanakeithel, P.S / P.O. Lamphel, Imphal West District, Manipur - 795004.
84. Smt. RS Onery, aged about 40 years, W/o Shangreikan Mahak, resident of Ngainga Village, P.S. / P.O. Somalal, Ukhrul District, Manipur - 795142.
85. Smt. I. Ranjana Devi, aged about 48 years, W/o M. Lokendro Singh, resident of Heirangoithong Yangam Leirak, P.S / P.O. Imphal, Imphal West District, Manipur – 795001.
86. Smt. T. Leina, aged about 49 years, W/o M. Bhagyachandra, resident of Palace Compound, P.S / P.O. Imphal East, Imphal East District, Manipur - 795005.
87. Smt. L. Aruna Devi, aged about 49 years, W/o K. Santoskumar, resident of Thongju Part. II, P.S / P.O. Singjamei, Imphal East District, Manipur - 795008.
88. Smt. Mumtaz Begum, aged about 40 years, W/o Rabul Shah, resident of Irong Chesaba Mayai Leikai, P.S. / P.O. Mayang Imphal, Imphal West District, Manipur - 795132.
89. Smt. Oinam Ibemhal Chanu, aged 43 years, W/o Thongam Manimohon, resident of New Checkon, P.S. / P./O Porompat, Imphal East District, Manipur - 795005.
90. Smt. Laishram Ranjana Devi, aged about 38 years, D/o (L) L. Jugeshwor Singh, resident of

Khagempalli Panthak, P.S / P.O. Imphal, Imphal West District, Manipur - 795001.

91. Smt. Maibam Binolata Devi, aged 39 years, D/o Maibam Dhananjoy Singh, resident of Heirangoithong Ningthoujam Leikai, P.S. / P.O. Singjamei, Imphal West District, Manipur - 795008.
92. Smt. Waikhom Monteshwari Chanu, aged about 40 years, D/o W. Jugeshwar Singh, resident of Wabagai Lai Pungalba Manak, P.S. / P.O. Kakching, Kakching District, Manipur - 795003.

.... Respondents

93. The State of Manipur represented by the Principal Secretary/Commissioner/Secretary (Social Welfare), Government of Manipur, Secretariat, Imphal.
94. The Director of Social Welfare, Government of Manipur, Imphal, Manipur.

.... Performa Respondents

BEFORE
HON'BLE MR. JUSTICE M.V. MURALIDARAN

For the Petitioners	::	Mr. A. Golly, Advocate
For the Respondents	::	Mr. H. Debendra, GA Dr. RK Deepka, Advocate for the MPSC Mrs. G. Pushpa, Advocate for respondents No. 4 to 13.

Date of Hearing and
reserving Judgment & Order :: 17.08.2022

Date of Judgment & Order :: **19.09.2022**

JUDGMENT AND ORDER
(CAV)

This writ petition has been filed seeking issuance of a writ of certiorari to quash the Notification bearing No.7/4/2015-MPSC(DR), dated 5.7.2017, the amendment bearing No.7/4/2015-MPSC(DR), dated 31.8.2017, issued by the Secretary, MPSC in respect of only eleven posts of Child Development Project Officer in Social Welfare Department and to quash the subsequent advertisement bearing No.5/2018, dated 11.10.2018 issued by the Secretary, MPSC for appointment to eight posts of Child Development Project Officer in the Social Welfare Department, Government of Manipur and to further direct the respondents to fill up on regular basis the clear vacant posts of Child Development Project Officer in Social Welfare Department, Government of Manipur, falling against the promotion quota as per the relevant recruitment rules of Child Development Project Officer in Social Welfare Department, Government of Manipur, within a reasonable time frame, prior to filling up of the posts falling against the direct recruitment quota.

2. The facts in a nutshell are as under: According to the petitioners, they are either working as Statistical Assistants or Supervisors (ICDS) in the Social Welfare Department on regular

basis for the last 27 to 32 years without getting any promotion since their initial appointments. The next avenue of promotion for the posts of Statistical Assistant and/or Supervisor (ICDS) is Child Development Project Officer (ICDS). According to the petitioners, there are altogether 43 sanctioned posts of Child Development Project Officer in the Social Welfare Department, out of which 19 posts are held on regular basis and 24 posts are held on in-charge basis and, therefore, the 24 posts are substantively vacant.

3. It is stated that for recruitment to the post of Child Development Project Officer, the State Government framed the Recruitment Rules called the Department of Social Welfare, Manipur (Child Development Project Officer) Recruitment Rules, 2017. As per the said Rules of 2017, 75% of the vacancies are to be filled by promotion and 25% by direct recruitment. Within the promotion quota, 80% of the vacancies are to be filled by Supervisors (ICDS)/Assistant Child Development Project Officer (ICDS) with five years regular service in the grade and 20% of the vacancies are to be filled up from Statistical Assistant with five years regular service in the grade.

4. It is further stated that there are in all 452 posts in the feeder cadres referred to above for promotion to the 43 posts of Child Development Project Officer and due to lack of adequate

number of posts in the cadre of Child Development Project Officer, there is no career advancement for years and for many employees the posts they hold in the feeder cadre turn out to be dead-end jobs.

5. It is the case of the petitioners that, at present, there are 24 vacancies in the post of Child Development Project Officer, of which 18 vacancies are to be filled by promotion and the remaining 6 vacancies should be filled by direct recruitment as per the Rules of 2017. However, the Secretary, MPSC, issued the advertisement bearing No.5/2018, dated 11.10.2018 notifying eight posts of Child Development Project Officer to be filled by direct recruitment. The aforesaid advertisement is stated to be in continuation of the earlier notification dated 5.7.2017, notifying recruitment to various posts, including 11 posts of Child Development Project Officer, which notification was amended by the subsequent notification dated 31.8.2017.

6. The notifications dated 5.7.2017 and 31.8.2017 were the subject matter of challenge in W.P. (C) Nos.535 and 830 of 2017. The said writ petitions were subsequently withdrawn based on the assurance given by the authorities of the State Government that the grievance of the Statistical Assistants and Supervisors with regard to their promotion and calculation of quota would be safeguarded.

7. According to the petitioners, the calculation of percentage of the quota for promotes and direct recruits is to be done based on the available vacant posts as provided under the Rules of 2017 and the notification of eight vacant posts of Child Development Project Officer (ICDS) for filling up by direct recruitment under the impugned notification is in excess of the quota prescribed for direct recruitment and, therefore, the impugned notification is liable to be quashed.

8. It is the further plea of the petitioners that many of the personnel rendering regular service as Statistical Assistants and Supervisors are due to retire shortly and they are entitled to be considered for promotion against the available vacant posts of Child Development Project Officer (ICDS) in the promotion quota as statutorily provided under the Rules of 2017, prior to the appointment of candidates by direct recruitment. It is added that the non-consideration of the case of the petitioners for promotion against the promotion quota and the eagerness to appoint Child Development Project Officer by direct recruitment is highly arbitrary, capricious, discriminatory and unconstitutional inasmuch as the respondents have not treated the candidates who are due to be promoted equally with the direct recruit candidates.

9. The writ petition has been strongly opposed by the first respondent/State Government. It is submitted that during the pendency of the writ petition qua direct recruitment of 8 vacant posts of Child Development Project Officer, 21 posts of Child Development Project Officer meant for promotion quota were filled by giving promotion amongst the eligible Supervisor/Statistical Assistant/Asst. Child Development Project Officer vide Government Order dated 25.11.2020. Therefore, it does not lie in the mouth of the petitioners to plead that promotion quota vacancies are not filled. It is further stated that, at present, there are 26 regular Child Development Project Officers and they are all promoted. By virtue of filling up of 21 posts of Child Development Project Officer by promotion during the pendency of the writ petition, the same has rendered infructuous and is liable to be dismissed.

10. It is further stated by the first respondent that the Department has been providing benefits of financial upgradation to employees who did not get promotion to higher posts. Three such financial upgradations are allowed on completion of 10/20/30 years of regular service counted from the date of entry.

11. It is the specific case of the first respondent that as per the existing norms, allocation of seats for direct recruitment and promotion is not based on the vacancy available, but it is based on

total sanctioned posts. To buttress the aforesaid plea, a reference has been given to the Office Memorandum No.1/17/20-MPSC(RR)/DP, dated 9.10.2020. Out of 43 posts of Child Development Project Officer, 32 posts are to be reserved for promotion and 11 posts are to be reserved for direct recruitment. The department has adhered to the Rules of 2017 and there is no question of violation thereof. The cadre strength is to be calculated by the number of posts comprising the cadre. Right to be considered for appointment can only be claimed in respect of a post in the cadre.

12. It is the case of the third respondent that it is the prerogative of the State Government to increase or shrink the sanctioned strength of posts and the Office Memorandum dated 9.10.2020 provides the ratio on the basis of total sanctioned posts and thus the number of posts for direct recruitment comes to 11.

13. Heard learned counsel on either side and perused the documents available on record.

14. At the outset, it is to be noted that pending the writ petition, this court, by order dated 30.10.2018, allowed the respondents to go ahead with the process of direct recruitment, with the condition that the result shall not be declared without the leave of the court. The order aforesaid is reproduced hereunder:

“Heard Shri A. Bimol, learned Senior Counsel appearing for the petitioners.

By the instant writ petition, the petitioners have prayed for issuing a writ of certiorari to quash and set aside the notification dated 5/7/2017, the amendment dated 31/8/2017 and the advertisement dated 11/10/2018 mainly on 2 (two) grounds — one, the determination of the number of posts is erroneous in view of the Recruitment Rules and two, without process for giving promotion to the petitioners being initiated, the respondents have proceeded with the direct recruitment of filling up of 8 (eight) vacancies.

In view of the above, let the petition be admitted and notice be issued to the respondents returnable on 23/11/2018 (Friday).

Shri H. Debendra, learned Government Advocate accepts notice on behalf of Respondent Nos. 1 & 2 and Dr. R.K. Deepak, learned counsel accepts notice on behalf of Respondent No. 3 and hence, no formal notice is called for.

When the matter was listed yesterday, i.e. 29/10/2018 Shri H. Debendra, learned Government Advocate was given time to seek instructions in the matter and today, Shri H. Debendra, learned Government Advocate has submitted on instructions that the Department

has agreed to the claim of the petitioners to complete the process for promotion before the completion of the direct recruitment process. Respondent Nos. 1 & 2 are directed to file an affidavit incorporating therein the instructions given to the learned Government Advocate.

*In view of the above said submission, **the respondents are permitted to go ahead with the process for direct recruitment but the result thereof shall not be declared without the leave of this Court.** However, it is open to the State Government to approach this Court for modification of this interim order. A copy of the order may be furnished to Shri H. Debendra, learned Government Advocate for doing the needful.”*

[emphasis supplied]

15. However, it is seen that one Arbin Salam, who appeared in the written examination conducted for direct appointment to the vacant posts of Child Development Project Officers, filed W.P.(C) No.517 of 2021 seeking, inter alia, to declare the result of written examination conducted for appointment to the post of Child Development Project Officer. In the said writ petition, this court, by order dated 27.8.2021, directed the Public Service Commission to declare the result of the written examination held in pursuance of the impugned advertisement dated 11.10.2018 and

conduct viva-voice. The said exercise was directed to be undertaken within a period of three months from the date of receipt of a copy of the said order.

16. As the Public Service Commission is bound to comply with the direction of this Court dated 27.8.2021 passed in W.P. (C) No.517 of 2021, they filed M.C.No.228 of 2021 to declare vacate/modify the interim order dated 30.10.2018 passed in W.P. (C) No.1002 of 2018.

17. At this juncture, it is apposite to refer to the Office Memorandum dated 9.10.2020, by which an amendment of MPSC Form 8 was effected as under:

“Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer & percentage of the total sanctioned post to be filled by various methods.”

18. It is the case of the petitioners that the number of posts to be filled up by promotion and direct recruitment should be calculated based on the number of vacancies. Such submission of learned counsel for the petitioners runs counter to the settled principles of law. The Hon’ble Apex Court considered the difference between “*post*” and “*vacancy*” and the right to be considered for appointment/quota for each source of recruitment specified in the

Rules in the case of **Srikant Roy and others v. State of Jharkhand and others, (2017) 1 SCC 457**. In paragraph 24 of the said judgment, it has been held as under:

*“24. The High Court has overlooked the distinction between “post” and “vacancy”. If the requisite posts were already exhausted by the direct recruits against the earmarked quota for direct recruitment, merely because some vacancies occur, it would not be open to the aspiring candidates against the direct recruit quota to challenge the selection process commenced for the in service judicial officers by promotion through Limited Competitive Examination. **The cadre strength is always measured by the number of posts comprising the cadre. The right to be considered for appointment can only be claimed in respect of a post in the given cadre. The percentage of quota has to be worked out in relation to number of posts which form the cadre and has no relevance to the vacancy that would occur.** This aspect has been glossed over by the High Court in the impugned judgment. Suffice it to observe that as no post for direct recruits existed as on 30th April, 2008, the challenge to the selection process to fill up the vacancy by promotion through Limited Competitive Examination, at the instance of aspiring candidates by direct recruitment cannot be countenanced. The Writ Petition filed by such aspiring candidates (WP(S) No. 4159/2008),*

therefore, ought to have been dismissed by the High Court.”

[emphasis supplied]

19. The Hon'ble Apex Court had emphatically held that the percentage of quota has to be worked out in relation to number of posts which form the cadre and has no relevance to the vacancy that would occur. Therefore, the entire argument of learned counsel for the petitioners for fixation of the number of posts based on the vacancies has no legs to stand and is a misconception.

20. Moreover, the State Government by dint of the Office Memorandum dated 9.10.2020 is empowered to increase or shrink the sanctioned strength of posts and provides the ratio on the basis of total sanctioned posts and not on the number of vacancies.

21. It is beyond any demur that during the pendency of the writ petition, 21 posts of Child Development Project Officer were filled by giving promotion to the eligible Supervisor/Statistical Assistant/Asst. Child Development Project Officer vide Government Order dated 25.11.2020. Thereafter, by order dated 9.3.2022, the Government of Manipur, appointed many of the petitioners herein to the post of Child Development Project Officer by way of promotion. Therefore, it cannot be pleaded by the petitioners that

they are working in dead-end jobs and were deprived of their promotion.

22. For the foregoing reasons, we do not find any merit in this writ petition and the same is accordingly liable to be dismissed.

23. Consequently,

a) *the writ petition is dismissed;*

b) *M.C. (WP(C)) No.228 of 2021 to vacate the interim order dated 30.10.2018 passed in W.P. (C) No.1002 of 2018 is allowed.*

c) *The Respondent authorities may proceed further and complete the direct recruitment process in accordance with law.*

d) *There will be no order as to costs.*

JUDGE

FR/NFR

Sushil