

W.P.(C) No. 314 of 2018

B E F O R E

HON'BLE MR. JUSTICE KH. NOBIN SINGH

25.04.2018

Heard Ms. Geetarani Waikhom, learned counsel appearing for the petitioners and Mr. Y. Ashang, learned Addl. GA for the respondents.

By the instant writ petition, the petitioners have prayed for issuing a writ of mandamus or any other appropriate writ to direct the respondents to consider and dispose of the representation dated 03.04.2018.

The petitioners were initially appointed as the Assistant Agriculture Officer on adhoc basis in the Department of Horticulture & Soil Conservation, Manipur vide order dated 05.03.1999 issued by the Director and their adhoc services were regularised vide order dated 20.11.2013 issued by the Director of Horticulture & Soil Conservation, Manipur. In order to fill up all the existing vacancies in the cadre of Agriculture Officer/Equivalent, a list of seniority position of all officers in the cadre of Assistant Agriculture Officer/Equivalent was updated and notified vide a Memorandum dated 26.08.2016, wherein the names of the petitioners figured at Sl. Nos. 23, 24, 25 and 26.

On 09.10.2017, Director, Horticulture & Soil Conservation, Manipur addressed a letter to the Addl. Chief Secretary(H&SC), Manipur with regard to the revision of amendment of RRs exclusively for the posts of

Assistant Agriculture Officers/Equivalent in the Department of Hort. & Soil Conservation, Manipur and a proposed amendment of RR was submitted to the MPSC for favour of necessary action. On 15.01.2018, the Joint Secretary, Department of Personnel & Administrative Reforms (Personnel Division), Govt. of Manipur addressed a letter to the Addl. Chief Secretary (Hort. & SC) with regard to the amendment of RRs and to furnish bifurcation order for dividing Agriculture with Horticulture & Soil Conservation Department, total number of sanctioned posts etc.

It is learnt from the reliable source that some promotees who were promoted to the posts of Assistant Agriculture Officer on 24.06.2015, submitted a representation requesting to add a subject quota to the proposed amendment of RR in respect of the officers of the cadre of Assistant Agriculture Officer possessing B.Sc. Agri. & Horticulture with 3(three) years regular service. Thereafter a letter dated 17.03.2018 was addressed to the Addl. Chief Secretary (Hort. & SC) by the Director of Hort. & Soil Conservation informing about the said representation and another representation being submitted regarding para 3 of the existing RR and accordingly, Administrative Department was requested to look into the matter.

Being apprehensive of the fact that in the event of the said representation being considered and accepted, the petitioners might suffer ignominy of working under their juniors. The petitioners submitted representations dated 03.04.2018 separately to the Addl. Chief Secretary/Principal Secretary (Hort. & Soil Conservation) not to modify the proposed RR and the

same is still pending for consideration by the respondents. Being aggrieved the inaction on the part of the respondents, the instant writ petition has been filed by the petitioners.

During the course of hearing, Ms. Geetarani Waikhom, learned counsel appearing for the petitioners submits that the instant writ petition can be disposed of by issuing an innocuous order.

Accordingly, the instant writ petition stands disposed of with the direction that the respondents shall consider the said representations dated 03.04.2018 submitted by the petitioners within a period of 30 (thirty) days from the date of receipt of a copy of this order and issue a speaking order in respect thereof.

JUDGE

*Dhakeshori*