

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

**WP(C) No. 10 of 2018 with
WP(C) No. 105 of 2018 with
WP(C) No. 992 of 2017**

Md. Nazibullah Shah

....Petitioner

-Versus-

State of Manipur

....Respondents

BEFORE

HON'BLE MR. JUSTICE LANUSUNGKUM JAMIR

Order

30.04.2019

Heard Mr. H.S. paonam, learned senior counsel appearing for the petitioner in W.P.(C) No. 10 of 2018 and W.P.(C) No. 992 of 2017 as well as Mr. A. Mohendro, learned counsel appearing for the petitioner in W.P.(C) No. 105 of 2018. Also heard Mr. Kumarjit, learned A.G, Manipur, appearing for the respondents.

Pursuant to an advertisement No. MFFR/ 2016 dated 16th August, 2016 by which applications were called for direct recruitment under Forester's Recruitment Rules, 2001 in the Forest Department, Government of Manipur for the post of Forester, the petitioners applied for the said post of Forester and also participated in the

*W.P(C) No. 10 of 2019 with
W.P(C) No. 105 of 2018 with
W.P(C) No. 992 of 2017*

recruitment process. All the petitioners were qualified and they appeared in the viva voce test where they have also done satisfactorily. Thereafter, the DPC proceedings of the said recruitment was forwarded to the Government which was approved by the Government by letter dated 30th December, 2016. However, before declaration of the result, the election code of conduct came into effect in Manipur and thereafter, no appointments could be made.

In the meantime, the Deputy Secretary (For. & Env.), Government of Manipur issued an order dated 16-12-2017 by which the DPC proceedings of Foresters have been declared null and void and further directed the Principal Chief Conservator of Forests, Government of Manipur to hold fresh appointment/recruitment of the same within a period of two months from the date of issue of the order.

The order dated 16-12-2017 was challenged before this Court by way of WP(C) No. 992 of 2017 and this Court issued an interim dated 22-12-2017 restraining the respondents from filling up the post of Foresters without leave of this Court. However, by an order dated 22-1-2019 written by the Under Secretary to the Government of Manipur, Forest & Environment Department and addressed to the Principal Chief Conservator of Forest & HoFF, Manipur, the Government conveyed approval for filling up 93 posts of Forester

[3]

amongst other posts. Being aggrieved with the letter dated 22-1-2019 the petitioners are before this Court by way of the present writ petition.

After hearing learned counsel for the parties and on consideration of the materials available on record, this writ petition is disposed of with a direction to the respondents No. 1 & 2 to reconsider the order dated 16-12-2017 in respect of 71 posts of Forester and thereafter, pass an appropriate order in accordance with law for appointment of the petitioners to the said post of Forester. Let such consideration be done at the earliest but not later than three months from today.

With the above observations and directions, the present writ petition stands disposed of.

Interim order passed by this Court on 5-2-2019 stands vacated.

JUDGE

joshua