

Item No.77

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

WP(C)No.665 of 2024

Smt. Oinam Promila Devi, aged about 61 years, W/o Nongmaithem Labango Singh, resident of Khurai Thoudam Leikai, PO Lamlong, PS Porompat, District Imphal East, Manipur-795010

...Petitioner

- Versus-

State of Manipur represented by the Commissioner(Education/S), Government of Manipur, Secretariat Old Block, Babupara, PO & PS Imphal, District Imphal West, Manipur-795001 & **Anr.**

...Respondents

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA
ORDER

25.10.2024.

[1] Heard Mr. N. Zequeson, learned counsel appearing on behalf of the petitioner and Mrs. RK Emily, learned Deputy GA for the State respondents.

[2] Mr. N. Zequeson, learned counsel for the petitioner submits that the petitioner who is a Graduate Teacher at Khurai Popular High School attained the age of superannuation on 30.06.2023. However, the termination order has not been issued till date and due to this, the petitioner is not able to get retirement benefits including the pension.

[3] It is submitted that the writ petition may be disposed of at this stage by issuing innocuous direction to the respondents to issue termination order effective from the date of retirement.

[4] Mrs. R.K. Emily, learned Deputy GA submits that counter affidavit has not been filed till date and prays for some more time for filing the same.

[5] This Court is of the opinion that this matter does not require any counter affidavit. It is the bounden duty of the employer to issue termination order of the employee who has attained the age of superannuation.

[6] In the circumstances, the State respondents are directed to issue termination order effective from 30.06.2023 within a period of one month from the date of receipt of a copy of this order. After issuing the termination order, the respondents are directed to process for releasing the retirement benefits to the petitioner expeditiously within a period of 3(three) months from the date of issuance of termination order.

[7] With the above observations, writ petition is disposed of.

[8] It is made clear that this Court does not express any opinion on the merit of the case.

[9] Furnish a copy of this order to the learned counsel appearing for the parties in the course of the day.

JUDGE

John Kom

