

Item No.6

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

WP(C)No.730 of 2022

1. Shri Nongmaithem Guneshwor Singh, aged about 42 years, S/o N. Robindro Singh, resident of Sugnu Mayai Leikai, PO & PS Sugnu, and District Thoubal, Manipur-7951010.
2. Shri Mayanglambam Surjit Singh, aged about 39 years, S/o M. Kala Singh, resident of Kongpal Kongkham Leikai, PO & PS Porompat and district Imphal East, Manipur-795005.

...Petitioners

- Versus-

The State of Manipur through the Principal Secretary/Commissioner/Secretary(Vety.), Govt. of Manipur, Secretariat North Block, PO & PS Imphal, Imphal West District, Manipur-795001 & Anr.

...Respondents

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

29.07.2024.

[1] Heard Mr. KH. Tarunkumar, learned senior counsel for the petitioners and Mr. TH. Sukumar, learned GA for the State respondents.

[2] It is the case of the petitioners that they were engaged along with the petitioners of WP(C)No. 2 of 2017, WP(C)No. 794 of 2016 and WP(C)No. 61 of 2019 as drivers in the Department of Veterinary & Animal Husbandry on contract basis vide order dated 08.09.2010.

[3] The petitioners in WP(C)No.2 of 2017 and WP(C)No. 61 of 2019 who were appointed along with the present petitioners approached this Court

with a prayer for regularizing their services. . Vide common judgment and order dated 18.07.2022 passed by the learned Single Judge in WP(C)No.2 of 2017, WP(C)No.794 of 2016 and WP(C)No.61 of 2019, the respondents were directed to regularize the service of the 5(five) petitioners in the post of drivers in the Department of Veterinary & Animal Husbandry. Being aggrieved by the same, the State respondents have filed 2(two) writ appeals being W.A. No.69 of 2023 and W.A. No.71 of 2023 challenging the correctness of the directions issued by the learned Single Judge. Vide order dated 08.11.2023, the Division Bench dismissed the appeals preferred by the State respondents thereby upholding the directions of the learned Single judge for regularization of the service of the petitioners therein.

[4] Mr. KH. Tarunkumar, learned senior counsel for the petitioners submits that the petitioners herein were also appointed along with the petitioners in the connected writ petitions and the directions of the learned Single judge can also be passed in respect to the present petitioners herein.

[5] Referring to the counter affidavit filed by the State respondents, Mr. TH. Sukumar, learned GA for the State respondents submits that the petitioners herein are not similarly situated with the petitioners in the connected writ petitions being WP(C)No.2 of 2017 and WP(C)No.61 of 2019 and the decisions of the learned Single Judge has no application in the present petition.

[6] This Court has perused the materials available on record and considered the submissions made at the bar and the orders passed by this Court in connected matters. On perusal notice dated 08.09.2010, it is seen that

the petitioners herein were appointed along with the petitioners in WP(C)No.2 of 2017 and WP(C)No.61 of 2019 and as such, the plea of the State respondents that the petitioners are not similarly situated with those petitioners in the connected cases is not correct.

[7] It is the settled proposition of law that the benefits of regularization should be extended to all similarly situated persons. Accordingly, in terms of the directions of the learned Single Judge dated 18.07.2022 passed in WP(C)No.2 of 2017 and WP(C)No.61 of 2019 and upholding the same by vide order dated 08.11.2023 passed by the Division Bench in W.A No. 69 of 2023 and W.A No. 71 of 2023, the petitioners are entitled to the same benefit.

[8] This Court is of the opinion that the petitioners herein be regularized in the post of drivers w.e.f today i.e 29.07.2024 and appropriate orders in this regard be issued within a period of 2(two) months from the date of receipt of copy of this order.

[9] With these observations, writ petition is allowed and disposed of. No costs.

[10] Furnish a copy of this order to the learned counsel appearing for the parties.

JUDGE

John Kom