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Khundrakpam Mohon Singh

v.

State of Manipur & Ors.

[Writ Petition (Civil) No. 719 of 2020]

January 11, 2024

[Ahanthem Bimol Singh, J.]

Khannagadaba wafam

Recruitment Rules of 1984gi makhada hanna contractual basista Junior Lecturer (Vocal)ki fam pikhiba petitioner asi, Government of Manipurna eng 2004da semkhiba scheme adugi makhada mahakki service adu regularize touba yabra, amadi anouba Recruitment Rules of 1998gi makhada matik chadaba amadi eng 2004da scheme adu semba matamda serviceta leitaba maramna mahakki regularization toubinabagi thakhiba haija-cherol adubu kakthatpa adu matik chabra.

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Asamba warol sing

Service matter - Contractual servicepu regularize toubá – Loushinba/absorption toubada Recruitment Ruleski channafam - Petitioner adu Government of Manipurna eng 1991da contractual basista Junior Lecturer (Vocal)da fam pikhi, amadi thabak pubagi yanache adu eng 1999 faoba matam sangdoktuna lakkhi – Eng 1999gi matungdagidi, mahakki yana-che adu matam sangdokkhidre – Eng 2004da, Government of Manipurna casual/contract employeesinggi absorption/regularizationgi scheme ama houdokkhi, amadi scheme adugi manungda petitionergimaming adu matik chaba karmacharisinggi marakta yaokkhi – Adum-oinamak, Commissioner (Arts & Culture), Government of Manipurna yetnariba yaathang tarik 01-12-2020 amagi khutthagda petitionergimcontractual service adu tarik 31-03-1999 faoba khakta matam sangdokkhi amadi casual/contract employeesinggi regularizationgi scheme adu eng 2004da semkhibani amadi supnatagi eng 2004 faoba serviceta leiba singgidamaktani haina maram piraduna Petitioner adugi regularization tobinabagi haijaba adubu kakthatkhi – Atoppa maram amana, mahak ariba R.R. of 1984gi makhada matik charabasu anouba Recruitment Rules (R.R.) of 1998gi matik chabagi chang lepnaba thak/eligibility criteria adu youramde – Scheme aduna mahakki ahanba fam pibagi matamda leiramba chatna-pathap/rulesing adubusu khannagadabani amadi mahakka mannaba fibamda leiramba karmachari amasu chap mannaba fjibamgi makhada regularize toukhi haina yetladuna, Petitionerna kakthatkhiba adubu singnarakkhi.

Warep loukhi: Scheme adu Governmentna Rajyagi thousil ama oina petitioner masa yaona Arts & Culture Department, Manipurgimmanungda maming yaoriba casual/contract employee 55giservicesing adu absorb tounabagidamakta semkhibani. Scheme adugi mafam amatada scheme adubu semba matam adu faobada

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service touribasing khaktada chatnagani haina panba leite. Asigumba wafam asida mityeng thamlaga, scheme adu semba matamda serviceta leiriba casual/ contract employeeesing khaktada scheme adu chatnagani haina maram piraduna petitionergi Junior Lecturer (Vocal) oina fam puriba contractual service adubu regularization toubagi haijaba adubu kakthatkhiba adu chatnaba yaroi amadi kakhattuna chatnahandaba matik chai. Respondentsingna Gauhati High Courtna WP(C) No. 267 of 1999da laothokkhiba yaathang tarik 30-03-1999 amadi WP(C) No. 960 of 1999da laothokkhiba yaathang tarik 28- 07-1999 aduda piriba mayek sengba yaathang adugi taionnabada thabak touba yaroi amadi makhoi adugumba High Courtki mayek sengba yaathang adubu petitioner adugi contractual service adu makha tana matam sangdokkhide haina haibagidamakta mamal leihandaba yaroi, adusu makhoina High Courtna laothokpa yaathang adugi matunginna mathou taba matam sangdokpagi yaathangsing adu thokkhide maram oiraga. Scheme adugi hirmsing amadi mawong matou singda palliba mari leinaba nattraga ayaba piraba R.R. aduna puriba wahanthokti casual/ contract employeeesing adugi ahanba fam pibagi matam aduda leiramba amadi chatnagadaba mari leinaba famsinggi Recruitment Rulesing adubuni. Respondentsingna petitioner adugi oina tonganba changdamnabagi khal ama panshinba yaroi amadi petitioner adusu Governmentna scheme adugi makhada regularize toukhiba mahakka chap mannaba khongfanda leiramba mioi aduda pikhiba khudongchaba adu fangfam thoki. Yetnariba yaathang adubu kakhattuna chatnahankhide amadi respondentsingbu petitionergi contractual service adubu regularization/ absorption tounabagi khannanaba khanghankhi. [Paras 14, 15, 16 and 17]

Machang oiba waheisinggi paring

Contractual servicepu regularize toubagi; Absorption toubada Recruitment Ruleski chatnaba yaba; Scheme for absorption; Government of Manipurna eng 2004da semkhiba scheme; Matik

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chabagi chang lepnabagi thak/Eligibility criteria; Recruitment Rules 1984; Recruitment Rules 1998; Mannaba fibamsinggi makhada leiramba karmachari regularize toukhiba.

Mayoknariba kangbusinggi leplibha ukilsing

N. Ibotombi, Sr. Advocate amadi N. Savitri, Petitionergi leplibha ukilsing.

L. Monomala, GA. Respondent singgidamakta.

High Courtki Wayel / Yaathang

WAYEL AMADI YAATHANG

Ahanthem Bimol Singh, J.

[1] Mangda leiriba writ petition asi petitionerna mahakpu Government Music Collegeda Junior Lecturer (Vocal) oina fam pinabagi thakhiba wakat-che adubu kakthatkhiba Commissioner (Arts & Culture), Government of Manipurna thokpa yetnariba yaathang tarik 01-12-2020 adubu kakthatpinaba amadi maduga loinana petitionerbu houjikna Shree Shree Balmukunda Dev Government Music College, Imphal haina ming onkhraba Government Music Collegeda Junior Lecturer (Vocal) oina fam pinaba/absorp tounaba haina respondentsingbu khanghanba writ of Mandamus amasu laothokpinaba haijabaga loinana thanggatlakpani.

[2] Mangda leiriba case asigi thokkhiba thoudoksing asi, samna hairabada, petitioner asi Government Music College, Imphalda ahanba tha tarukki matamgi oina contract basista Junior Lecturer (Vocal) oina fam pikhi. Madugi makha tarakpada, mahakki contract serviceki matam asi Governmentna matam matamgi oina sangdoktuna lakkhi amadi aroiba matam sangdokpaga yaathang tarik 18-09-1998 aduna, petitioner adugi contract oina fam pubagi matam adu tarik 31-03-1999 faoba sangdokkhi. Government Music College asi matung tarakpadadi Shree Shree Bal Mukunda Dev Government Music College, Imphal haina maming onkhi amadi hairiba College asi Secretariat,

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Arts and Culture, Government of Manipur mityeng makhada leirammi.

[3] All Manipur Government Arts & Culture Department Casual/ Contract Employees and Workers Union amadi atoppa mioi aniga loinana Gauhati High Court, Imphal Benchki mamangda Civil Rule No.148 of 1998 oiba writ petition ama thanggattuna, authority singda achumba maramda yumfam oiduna scheme ama semlaga natragana post anouba semduna makhoigi Contract/ Casual service adubu regularize tounaba authority singda yaathang ama laothokpinaba haijakhi. Hairiba writ petition adu Gauhati High Court, Imphal Benchna Civil Rule No. 148 of 1998da laothokkhiba makhoigi wayel amadi yaathang tarik 07-12-1998ki khutthagda ayaba pikhi amadi hairiba wayel amadi yaathang adugi chatnagadaba saruk adu makhada piriba asumnani:-

“7. Pumnamaksi fana oidunasu, case asigi leiriba wafam amadi oiriba fibamsing asi khannaraba matung amadi masiga loinana Apex Courtna wafam asida thamkhiba chatnariba wayel-pathapki niyamsing adu panshillaga, eihakna respondentsingbu hairiba casual/ contract/ work charged employeesing aduna respondent adugi makhada thabak purakpagi matam amadi mari leinaba fam/famsing adugi ahangbagi fibam aduga loinana yenglaga achumbada yumfam oiba scheme ama semnaba amadi maduga loinana makhoigi channaba famsing aduda absorption toubagi matik chaba adubusu kupna yengshinnaba khanghalli amadi hairiba asi wayel amadi yaathang asi fangbagi tha 3 (ahum)gi manungda pangthokkadabani. Karmachari/shinmising adugi houkhiba servicesinggi khudongchabasing adu makhoigi thabaktagi potthabada fanggadaba khudongchabasing amadi pensiongi khudongchabasing amadi maduga loinana absorptiongi oinasu yenglaga masing pabada

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yaogadabani haiba wafam asisu mayek sengna thamli. Mangda leiriiba case asida yaoriba karmachari/shinmising asiga mannaba khongfamda leiriba mari leinaba Departmentki karmachari/shinmising adubusu khannabada yaogadabani amadi respondentsingna mannaba mityengda thamgadabani hainasu makha tana thamli haibasisu mayek senghalli. Court asina tarik 10-3-98ta laothokkhiba matam kharagi oiba yaathang/interim order adu wayel amadi yaathang asida punshille.”

Mamangda pankhriba wayel amadi yaathang asibu Governmentna singnakhi amadi wafam adu Hon'ble Supreme Court of India faoba youkhi, adum-oinamak, Hon'ble Supreme Court of Indiana Gauhati High Court, Imphal Benchna laothokkhiba wayel amadi yaathang aduda khut thingjinkhide.

[4] Houjik petitioner oiriba asina Gauhati High Court, Imphal Benchna Civil Rule No. 148 of 1998da laothokkhiba wayel amadi yaathang tarik 07-12-1998 adubu mityeng thamladuna mahakki service adubu regular oina absorb toubinaba authority singda yaathang laothokpinaba haiduna Gauhati High Court, Imphal Benchgi mamangda WP(C) No. 267 of 1999 oiba writ petition amasu thanggatkhi. Hairiba writ petition aduda Gauhati High Court, Imphal Benchna yaathang tarik 30-03-1999 ama laothoktuna wafam adu CR No. 148 of 1998da laothokkhiba makhoigi mamanggi wayel amadi yaathang tarik 07-12-1998 aduna konshille haiduna loisinkhi, hairiba writ petition adu CR No. 148 of 1998da laothokkhiba mamanggi wayel amadi yaathang tarik 07-12-1998ki para 7da piriba yaathang adugasu loinana loisinkhi. Hairiba yaathang aduda, petitioner adubu cheirak aduda mahakki servicetagi louthokpa yaroi hainasu mayek sengna thamkhi.

[5] Government Music College, Imphalgi Principal amadi Arts and Culture, Manipurgi Directorna petitionergi contract

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service matam sangdoknabagi hanjin-hanjin haijaba amadi pukhatpasing leiraba faobada petitionergi contract service adu tarik 31-03-1999ki matungda makha tana matam sangdoraktabadagi, petitionerna Gauhati High Court, Imphal Benchki mamangda, authority ingda mahakki contract serviceki mathou taba matam sangdokpagi yaathangsing thoknaba khanghannaba haijabaga loinana WP(C) No. 960 of 1999 oiba atoppa writ petition amaga amuk thanggatkhi. Gauhati High Court, Imphal Benchna yaathang tarik 28-07-1999 ama laothoktuna authoritysingbu petitionergi service matam sangdokpagi mathou taba yaathangsing adu athuba thoknaba khanghannaba loinana hairiba writ petition adu loisinkhi.

Petitionerna thanggatkhiba WP(C) No. 267 of 1999da laothokkhiba yaathang tarik 30-03-1999 amadi WP(C) No. 960 of 1999da laothokkhiba yaathang tarik 30-03-1999 animak adu Governmentna mathang sitna WA No. 68 of 1999 amadi Review Petn. No. 42 of 1999 thanggattuna singnakhi, adum-oinamak hairiba writ appeal amadi review petition animak Gauhati High Court, Imphal Benchna WA No. 68 of 1999da laothokpa yaathang tarik 10-06-2004 amadi Rev. Petn. No. 42 of 1999da laothokpa yaathang tarik 12-11-2009 amana kakthatkhi. Madugi makha tarakpada, wafam adu aroiba oikhi.

[6] Gauhati High Courtna CR No. 148 of 1998da laothokkhiba wayel amadi yaathang tarik 07-12-1998 amadi Hon'ble Apex Courtna laothokkhiba yaathang aduda pangthoknaba khanghalliba adubu illaduna, State Governmentna eng 2024da **Scheme for the absorption of contract/ casual employees on regular basis in the Arts & Culture Department, Manipur** (makha tarakpada shamna “Scheme” hairaga khangnaragadaba) scheme ama semkhi. Scheme adugi pandamdi hairiba scheme adugi para 2da thambagi matunginna makhada piriba asini:-

“2. Scheme adugi pandam:-

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(1) Scheme asi Guwahati High Court, Imphal Benchna C.R. No. 148 of 1998da laothokkhiba wayel amadi YAATHANG (CHINHAI) tarik 07-12-98 adugi matunginna sembani, madugi thabak oina pangthokkadaba saruk aduna makhada asumna puthoktuna thamle:-

“Pumnamaksi fana oidunasu, case asigi leiriba wafam amadi oiriba fibamsing asi khannaraba matungda amadi masiga loinana Apex Courtna wafam asida thamkhiba chatnariba wayel-pathapki niyamsing adu panshillaga, eihakna respondentsingbu hairiba casual/contract/work charged employeesing aduna respondent adugi makhada thabak purakpagi matam amadi mari leinaba fam/famsing adugi ahangbagi fibam aduga loinana yenglaga achumbada yumfam oiba scheme ama semnaba amadi maduga loinana makhoigi channaba famsing aduda absorption toubagi matik chaba adubusu kupna yengshinnaba khanghalli amadi hairiba asi wayel amadi yaathang asi fangbagi tha 3 (ahum)gi manungda pangthokkadabani. Karmachari/shinmising adugi houkhiba servicesinggi khudongchabasing adu makhoigi thabaktagi potthabada fanggadaba khudongchabasing amadi pensongi khudongchabasing amadi maduga loinana absoprtiongidamakta oinasu yenglaga masing pabada yaogadabani haiba wafam asisu mayek sengna thamli. Mangda leiriiba case asida yaoriba karmachari/shinmising asiga mannaba khongfamda leiriba mari leinaba Departmentki karmachari/shinmising adubusu khannabada yaogadabani amadi respondentsingna mannaba mityengda thamgadabani hainasu makha tana thamli haibasisu mayek senghalli.”

Schemegi para 4da thamliba adugi matunginna scheme asina chatnagadabasing asi makhada asumna pire:-

“4. Chatnagadaba:

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Anouba scheme asi hairiba C.R. aduda petitioner oiriba amadi maduga loinana makhada piriba officesing asina konba Art & Culture Department, Govt. of Manipurgi tongan-tonganba officesinggi mannaba khongfamda leiba Casual/Contract employeesing adudasu chatnagani:-

(a) *Office of the Directorate of Art & Culture, Manipur.*

(b) *Office of the State Archaeology, Manipur.*

(c) *Office of the Manipur State Archives, Manipur.*

(d) *Office of the Central Library (including District Libraries), Manipur.*

(e) *Office of the Manipur State Museum, Imphal.*

(f) *Office of the Shri Balmukunda Dev Music College (Govt. Music College).*

(g) *Office of the Govt. Dance College.*

(h) *Office of the I.N.A. Martyrs' Memorial Museum, Moirang."*

[7] Scheme adugi paras 5 amadi 7 da, Arts & Culture Departmentki makhada leiba tongan-tonganba officesinggi punna casual/contract employee 55 utkhi amadi hairiba casual/contract employee 55 adugi manungda petitioner adugi mamingsu yaori.

Hairiba scheme adugi para. 7 da, masibu atei atoppasinggi marakta makhada thamliba asumna piri:-

"7. Service tourakpagi matamda yumfam oiraga kanglup khaidokpa:-

Mathakta palliba Art & Culture Department, Manipurgi Casual/ Contract Employee 55 (makhoigidamakta regular oina ayaba piriba fam singda absorption tounabagidamakta scheme asi semlibasi) bu Casual

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Contract basista makhoina purakpa serviceki matam adugi matunginna makhada piriba asumna khaidokle:- “

Scheme adugi para. 9da, leiriba ahangba famsing amadi semgadaba famgsinggi masing, Junior Lecturer (Vocal)gi fam ani yaona punna fam 55, adu scheme adugi pandam adu fangnabagidamakta thamli/utli/

[8] Hairiba scheme adu semlaba matungda, Secretary (Arts & Culture), Government of Manipur yaathang tarik 09-02-2015 ama thoktuna Directorate of Arts & Cultureki tongan-tonganba masasingda thabak touriba staff 43gi casual/ contract servicepu makhoigi maminggi mayokta utliba tarik adudagi houna amadi makhoigi tasengba tolop adu tarik 01-04-2014tagi saba hougani haiba warolga loinana makhoigi casual/ contract service adu regularize toukhi. Regularized toukhraba hairiba staff 43 adugi manungda, petitioner adugi maming yaokhide. Pendraduna, petitionererna mahakki Government Music College, Imphalda puriba Junior Lecturer (Vocal)gi contractual service adu regularize toubinaba haijaduna wakat-che tarik 28-08-2019 ama Commissioner, Arts & Culture, Government of Manipurda thajinkhi. Petitioner aduna thajinkhiba wakat-che adu khannabagi thouong chattharingei manungda, Principal, Shree Shree Bal Mukunda Dev Government Music College Imphalna Director, Arts & Culture chithi tarik 07-11-2019 ama iduna tarik 01-03-2019 faobada hairiba College adugi mensinkhraba amadi ahangba famgi masing yaoba warol ama pisinkhi. Hairiba warol aduda, Junior Lecturer (Vocal)gi fam ani hangli haina utkhi. Madugi makha tarakpada, Director, Arts & Culture, Manipur Commission (Arts & Culture), Government of Manipurda chithi tarik 14-11-2019 ama iduna hairiba Music College aduda Junior Lecturer (Vocal)gi ahangba fam ani leiri amadi petitioner asi ariba R.R. of 1984gi matunginna Junior Lecturer (Vocal)gi fam adugidamakta matik chai adubu anouba R.R. of 1998gi matunginna matik chade haina thamkhibaga loinana makha taba

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wakat/litigation laktanabagidamakta petitionergi case adubu maram chaba warep ama laknabagidamakta khannabinabasu haijakhi.

[9] Petitionergi case adubu Gauhati High Courtna pikhiba yaathanggi matunginna amadi Governmentna semkhiba scheme adugi matunginna khannabagi mahutta, Commissioner (Arts & Culture), Government of Manipurna yetnariba yaathang tarik 01-12-2020 thoktuna petitionerna tharakpa wakat-che adubu chatnaba yaba yaode haina kakthatkhi. Hairiba yetnariba yaathang aduda palliba petitionergi wakat-che adu kakthatpagi maram adu makhada asumna pire:-

“8. *Adum-oinamak, Kh. Mohongi contractual service asi tarik 21.03.1999 faobadang sangdokkhi amadi casual/ contract employeesinggi regularizationi Scheme semkhibadi eng 2004dani haina uba fangli.*”

“9. *Casual/ contract employeesinggi regularization toubagi semkhiba Scheme asi supnatagi eng 2004 faoba serviceta leibasing adugidamaktani haibasi mayek senglabanina, Shri Khundrakpam Mohon Singhna thanggatlakpa wakat-che tarik 28.08.2019 asi khannare amadi chatnaba yaba maram yaodabana kakthatle.*”

Pendraduna, petitionerna mahakki pendabasing adubu kokhanbinaba mangda leiriba writ petition asi thanggatladuna Court asida changjakhi.

[10] Respondentsingna makhoigi yetna-warol yaoba affidavit aduda loukhiba khongfam adudi petitioner adugi fam pubagi yana-che adu tarik 31-03-1999 faoba matam sangdokkhi amadi hairiba matam adu loiraba matungda, Governmentna petitioner adugi contract service adu makha tana matam sangdokkhidre amadi mahakki service adusu loikhidre haibasini. Petitioner adu Junior Lecturer (Vocal)gi famgidamakta ariba R.R. of 1984gi matunginna matik chai adubu anouba R.R. of 1998gi matunginna

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hairiba fam adugidamakta mahak matik chade amadi asumna, mahakki matik chadabana maram oiraga mahakki case adu khannakhidabani hainasu thamkhi.

[11] WP(C) No. 267 of 1999da laothokkhiba yaathang tarik 30-03-1999 adugi mayokta State Governmentna thanggatkhiba writ appeal WA No. 68 of 1999 aduda, matam kharagi oiba yaathang ama laothokkhi amadi hairiba matam kharagi oiba yaathang adubu mityeng thamlaga, petitioner adugi contract serviceki matam adu Governmentna sangdokkhidabani haina petitionergi lepliba Mr. N. Ibotombi, learned senior counselna thamkhi. Adum-oinamak, hairiba writ appeal adu tarik 10-06-2004ki yaathang amana loisinkhi amadi mamanggi leiramba matam kharagi oiba yaathang adu louthokkhi. WP(C) No. 960 of 1999da laothokkhiba yaathang tarik 28- 07-1999 adugi mayokta State Governmentna thanggatpa review petition adusu yaathang tarik 12-11-2009 amana kakthatkhi hainasu learned senior counselna makha tana thamkhi. Hairiba writ petition amadi review petition adu Gauhati High Courtna kakthatkhrabanina amadi maduda leiramba matam kharagi laothokpa yaathangsing adusu louthokkhrabanina, Gauhati High Courtna petitioner adubu servicetagi louthoktanaba amadi petitioner adugi serviceki matam adu makha tana sangdokpagi mathou taba yaathangsing adu thoknaba State Governmentta khanghankhiba adusu aroiba oikhrabanina, State Governmentna madubu thabakta onthokpa haibasi lengdraba mathouni haina learned senior counselna akanba maongda thamkhi. Respondentsingna petitioner adugi contract service adu sangdokkhide haina haijaba adu yaroi amadi supnatagi masina maram oiraga respondentsingna petitionergi service adubu High Courtna pikhiba yaathang amadi Governmentna semkhiba scheme adugi matunginna regularization tou haiba yadaba asi yamnamak touningbada toubu amadi maram chadaba amadi High Courtna laothokkhiba yaathang amadi State Governmentna semliba scheme adugi mangjounana pibasing aduda hakthengnana singnabani hainasu thamkhi.

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[12] Learned senior counselna asumnasu makha tana thamkhi madudi Shri L. Nobin Singh kouba Music Collegeta contract basista Junior Lecturer oina thabak touramba amadi petitioner aduga mannaba fibamda leiriba, Shri L. Nobin Singh asi ariba R.R. of 1984gi makhada matik chaba amadi anouba R.R. of 1998gi makhada matik chadaba asibu, Secretary (Arts & Culture), Government of Manipurna thokpa yaathang tarik 09-02-2015na regular appointment pikhi. Hairiba yaathang aduda, Shri L. Nobin Singhgi maming asi Sl. No. 23da yaoi. Petitioner asibu mahakka mannana leiribasing aduga mannaba mityengda yengbidre amadi anouba R.R.gi makhada matik chadre haiduna respondentna petitioner service regularization toubagi case adu khannabiyu haiba yakhidaba adu Bharat Sangbidhangi Article 14gi makhada piriba mannaba mityeng thambagi warol adubu singnabani haina learned senior counselna akanba maongda yetkhi. State Governmentna aning-aningbata toubu yaroi hainasu haina learned senior counselna thamkhi.

[13] Eihakna petitioner lepliba Mrs. N. Savitri, learned counselna mateng pangladuna Mr. N. Ibotombi, learned senior counselna thamlakpa warolsing amadi respondentsinggi lepliba Mrs. L. Monomala, learned GAna thamlakpa warolsingsu yamna munna tare amadi chejanda leiba khudam-changsam khudingmaksu yamna kupna yengle.

Petitionerbu mamangda pankhriba Music College aduda Junior Lecturer (Vocal) oina puriba mahakki contractual service adubu regularize toubagi haijaba adubu kakthatkhiba Commissioner (Arts & Culture), Government of Manipurna thokpa yetnariba yaathang tarik 01- 12-2020 adubu kupthana yengba matamda, adugumba kakthatpa aduda piriba maram adudi petitioner adugi contractual service adu tarik 31-03-1999 faobadang sangdokkhi aduga casual/ contract employeesinggi regularization scheme aduna eng 2004da semkhi amadi supnatagi eng 2004 faoba service toubasing adu khakkidamaktani

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haibasini. Respondentna makhoigi yetna-warol yaoba affidavitta piba petitioner adubu mahakki contractual service adubu Gauhati High Courtna pikhiba yaathang amadi Governmentna semba scheme adugi matunginna regularize toubagi khannakhidabagi atoppa maram amana petitioner asi mahakki ahanba Junior Lecturer (Vocal) oina fam piba matamda mari leinaba R.R. of 1984gi makhada matik charabasu anouba R.R. of 1998gi makhada fam adugidamakta matik chadre haibasini.

[14] Mathakta yamna sangdokna puthoktuna pankhraba, Scheme adugi yaoriba warolsing adu kupna yengshinba matamda, Court asigi khannaraba mityengda hairiba Scheme adu Governmentna Rajyagi thousil ama oina petitioner masa yaona Arts & Culture Department, Manipurgi manungda maming yaoriba casual/ contract employee 55gi servicesing adu absorb tounabagidamakta semkhibani. Scheme adugi mafam amatada scheme adubu semba matam adu faobada service touribasing khaktada chatnagani haina panba leite. Nakal amaromdana, hairiba schee adugi para 2 amadi 7da scheme adugi pandamdi Arts & Culture Department, Manipurgi casual/ contract employee 55gi service adubu absorption/regularization tounabagidamaktani haina mayek sengna thamli amadi petitioner masa yaona casual/ contract employee 55 adugi maming matha amadi akuppa marolsing adusu utli. Asigumba wafam asibu mityeng thamlaga, scheme adu semba matamda serviceta leiriba casual/ contract employeesing khaktada scheme adu chatnagani haina maram piraduna petitionergi mahakki Junior Lecturer (Vocal) oina fam puriba contractual service adubu regularization toubagi haijaba adubu kakthatkhiba adu chatnaba yadaba amadi kakthattuna chatnahandaba matik chai.

[15] Gauhati High Courtna WP(C) No. 267 of 1999da laothokkhiba yaathang tarik 30-03-1999 amadi WP(C) No. 960 of 1999da laothokkhiba yaathang tarik 28-07-1999 aduda respondentsingbu petitionerbu scheme adu semdriba faoba servicetagi louthokpa yaroi amadi mahakki case adubu hairiba

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scheme adugi makhada khannanaba khanghankhiba amadi petitioner adugi service adubu matam sangdokpagi mathou taba yaathangsing thoknaba khanghankhiba adu aroiba oikhraba maramna, respondentsingna madubu thabakta onthokpa haibasi pangthoktraba yadraba mathouni amadi, mahakki contract service adu matam sangdokkhide haibagidamakta petitioner adubu hairiba College aduda Junior Lecturer (Vocal) oina puriba mahakki contractual service adubu regularization toubinaba haijaba adubu khannabada yaroi haina learned senior counselna thamlakpa warol adudasu achumba yaoi haina Court asina faoi. Respondentsingna Gauhati High Courtna WP(C) No. 267 of 1999da laothokkhiba yaathang tarik 30-03-1999 amadi WP(C) No. 960 of 1999da laothokkhiba yaathang tarik 28- 07-1999 aduda piriba mayek sengba yaathang adugi taionnabada thabak touba yaroi amadi makhoi adugumba High Courtki mayek sengba yaathang adubu petitioner adugi contractual service adu makha tana matam sangdokkhide haina haibagidamakta mamal leihandaba yaroi, maruoina makhoina High Courtna laothokpa yaathang adugi matunginna mathou taba matam sangdokpagi yaathangsing adu thokkhidabana maram oiragani haina Court asigi khannaraba mityengda loui.

[16] Scheme adugi para 8ta thamliba hiramasing amadi maong-matousinggi matunginna, casual/ contract employeeesinggi absorption asi mari leinaba famsing adugi mari leinaba/ayaba pikhraba R.R. adugi matunginna mathou tariba maheigi thaksing amadi atei atoppasing adu maning thungbada khudongchaba piduna tangkak naina tougani haina pirabasu, adugumba absorption adu inou nouba R.R. adubu maning thungbagi matungingani ghaiba mafam amatada pande. Gauhati High Courtna casual/ contract employeeesinggi absorption/regularization toubagi scheme sembagi yaathang piba matamda, High Courtna karmachari/shinmising adugi houkhiba servicesinggi khudongchabasing adu makhoigi thabaktagi potthabada fanggadaba khudongchabasing amadi pensiongi

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khudongchabasing amadi maduga loinana absorptiongidamakta oinasu yenglaga masing pabada yaogadabani haiba wafam asisu mayek sengna thamli. Gauhati High Courtna thamkhiba mayek sengba yaathang adubu khannaraga amadi Scheme adugi makha casual/ contract service adu absorption/regularization toubasi inou nouba R.R. adubu mapung fahannaba mathou tai haina akaknaba warol amata leitaba aduda mityeng thamladuna, Court asigi khannaraba mityengda Scheme adugi hirsing amadi maong matou singda palliba mari leinaba natraga ayaba piraba R.R. aduna piriba wanthokti casual/ contract employeesing adugi ahanba fam pibagi matam aduda leiramba amadi chatnagadaba mari leinaba famsinggi Recruitment Rulesing adubuni haina loui. Eihakki khannaraba mityengda, karigumba masi nattaba atoppa wanthok amada hankhibana, hairiba scheme adu sembagi amadi High Courtna piriba yaathangsing adubu thabakta onthokpagi pandam adubu maithiba pigani haina louwi.

Petitioner asi mahakki ahanba fam piba matam aduda leiramliba amadi chatnariba adugi matunginna Junior Lecturer (Vocal)gi famgidamakta matik chaba amadi puba yaramlaba, respondentsingna petitioner adubu hairiba R.R. of 1984 adugi matunginna amadi scheme adugi mangjounana piribasing adugi matunginna mahakki absorption toubu adu khannaba yai. Madugi mathakta, petitionerna mahakki rejoinder affidavitta, mahakka mannaba fibamda leiriba Shri L. Nobin Singh, Junior Lecturer bu Governmentna semliba scheme adugi makhada regularized toukhi haiba wafam aduda respondentsingna madu aranbani haina thamkhibana, respondentsingna petitioner adugi caseta tonganba changdamnabagi khal ama panshinba yaroi amadi petitioner adusu Governmentna hairiba Shri L. Nobin Singhda pikhiba aduga chap mannaba khudongchaba adu fangfam thoki hainasu court asigi khannaraba mityengda loui.

[17] Thijin-humjinbada fanglakpasing amadi mathakta piriba maramsing asibu mityeng thamladuna, Court asina makhada piriba

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yaathangsing asiga loinana mangda leiriba writ petition asibu loishinbada yaningle:

(a) Petitionerbu Junior Lecturer (Vocal) oina absorption/regularization toubinabagi haijaba adubu kakthatkhiba Commissioner (Arts & Culture), Government of Manipurna thokpa yetnariba yaathang tarik 01-12-2020 adu kakthatle amadi chatnahandre;

(b) Respondentsingna petitioner adubu Shree Shree Bal Mukunda Dev Government Music College, Imphalda puriba Junior Lecturer (Vocal)gi contractual service adubu Governmentna semliba scheme adugi hiramssinggi matunginna amadi Gauhati High Courtna WP(C) No. 267 of 1999da laothokkhiba yaathang tarik 30-03-1999 amadi WP(C) No. 960 of 1999da laothokkhiba yaathang tarik 28-07-1999 adugi hiramssinggi matunginna regularization/absorption gidamakta khannanaba amadi mathou taba yaathangsing laothoknaba khanghalli; amadi

(c) Thoung pumba yaathang asigi khutyek piraba copy ama fangbagi tarik adudagi paraga tha ahumgi manungda loishingadabani.

Mamangda pankhriba yaathangsing asiga loinana, mangda leiriba writ petition asi loishille. Mayoknariba kangbusingna masagi achangba shelsing masana puthokchagadabani.

Asamba warolsing semba:
Potshangbam Yaipharembi

Caseki mahei:
Yaathang singga loinana petition loishille