

**HIGH COURT OF MANIPUR
IMPHAL
WP (C) No. 423 of 2021**

Khoirom Prasanta Meetei, F. No. 075150754, chaorakna chahi 34 rom suraba, apokpa Kh. Ibomcha Meetei, leifam na Langthabal Lep Mayai Leikai, P.O. Canchipur, P.S. Singjamei, Imphal West District, Manipur, Pin Code: 795003, now posted at Group Centre CRPF, M & N Sector, Langjing, Imphal, P.O. & P.S. Lamphel. Pin. 795113.

..... Petitioner

Versus

1. Union of India mahut shillibana Home Secretary (Ministry of Home Affairs) North Block, New Delhi, Government of India, Delhi – 110001.
2. The Director General of Police, CRPF, CGO Complex, Lodhi Road, New Delhi-110003.
3. The IGP, Manipur and Nagaland Sector, Group Centre CRPF Langjing, P. O. & P. S. Lamphel, Imphal West District, Manipur, Pin- 795003.
4. Deputy Inspector General, Establishment, CRPF, CGO Complex, Lodhi road, New Delhi-110003.
5. The IGP, CoBRA, CGO Complex, Lodhi Road, New Delhi-110003.

**IKAIKHUMNABAGI MASAK OIRABA JUSTICE
M.V. MURALIDARAN GI COURT TA.**

Petitioner gi maikeida lepliba	:	Mr. M. Devananda, Advocate
Respondent sing gi maikeida lepliba	:	Mr. S. Vijyananda, Sr. PCCG
Hearing touraga Judgment amasung	:	11-07-2022
order rerserve toubagi tarikh		
Judgment amasung order pikhiba tarikh	:	08-09-2022

Judgment amasung order (CAV)

1. Tarikh 24-05-2021 da thokhiba chayetnariba transfer order amasung petitioner ga mari leinana tarikh 27-05-2021 da thokkhiba PI training order adubu kakthatpinaba amasung tarikh 01-05-2025 faoba M & N Sector HQ da Sub-Inspector oina petioner bu thabak touba yahanbinaba certiorari natraga mandamus writ jaribinaba haijaraduna writ petitioner asi tharakpani.
2. Petitioner na hairibadi asini madudi mahak asi eng 2007 da CRPF ki constable oina thabak changkhi amasung madugi matung tarakpada eng 2013 da CRPF ki Sub-Inspector of police oina hapkhi. Sub-Inspector gi post ta haptringei mamangda, mahak asi J & K da erang kanba mafamda chahi 6 henna 14 Bn da posting pikhi. Sub-Inspector oina haplaba matung mahak asi J & K gi Pulwama da KK sector gi manung chanba Southern Zone gi makha da leiba erang kanba mafam da 14 Bn da amukkasu posting pikhi; adudagi, mahak eng 2018 da North-East Zone da transfer tourakkhi amasung Jorhat Sector da takhi amasung chahi 2 makhai muk Operational Sectorda posting pikhi. Makha tana, mahak Standing Order No. 72015 gi matung inna medical ground da chahi 4 gi oina Manipur amasung Nagaland Sector da tarikh 13-01-2021 da transfer tourakkhi. Petitioner na Inspector General of Police, HQ, M & N Sector gi office ta numit 22 ni rom mathou touringeida, chayetnariba transfer order asigi matung inna, amukkasu mahakpu chahi 4 gi matam adu youdana Inter Sector da gi CoBRA Sector da amukkasu transfer toukhi. Maduda pendraduna, transfer amasung posting adu kakpinaba haijaraduna, petitioner na haija-cherol ama mathangsitna tarikh 31-05-2021 amasung tarikh 02-06-2021 da pishinkhi adubu hairiba haija-cherol sing adu ngasi faoba khannabidri. Maram asidagi, Writ Petition asi tharakpani.
3. Respondent Nos. 1 da gi 5 faobana Affidavit-in-Opposition lankhatlakle, maduda asumna hai madudi Special Operation Zone, CoBRA unit ta ahangba fam mayam ama leiba adu yenglaga, petitioner yaona tongan-tonganba unit sing/Officer sing gi Sub-Inspector/GD 200 tarikh 24-05-2021 da thokpa chayetnariba order adugi matung inna, CoBRA Sector da tahankhi; Order adu thokkhiba gi pandam di CoBRA unit ta posting pibani, adubu madu CoBRA PI training mapung fana loishinbagi di makha pongani. Petitioner yaona Sub-Inspector 60 ga mari leinana 28 suba batch oiriba CoBRA PI training adu 21-06-2021 da gi hounaba matam leple haina

tarikh 27-05-2021 da thokkhiba chayetnariba signal adugi khuthangda petitioner da khanghankhi amasung training mafamda 15-06-2021 da report touranaba khanghankhi.

4. Asumna su hai madudi mahakki emung-manung gi samashya sing leiba maram na tarikh 31-05-2021 da CoBRA Sector da mahakpu transfer touba adu kakpinaba tarikh 31-05-2021 da petitioner na haija-che ama lankhatkhi. Atoppa tarikh tadaba haija-che amada, petitioner na asumna khanghallkhi madudi mahak Inspector Promotional Course ta yaoba pammi amasung CoBRA da changbadi pamde. Petitioner na CoBRA da changba pamdaba adu mahakna fondoklakpadagi, wafam adu madugi matangda warep ama lounanaba tarikh 03-06-2021 da DIG (Estt.) da lankhatkhi amasung tarikh 09-06-2021 da DIG (Estt.) na asumna khanghallakkhi madudi promotion pibinabagi pangthokpa course oibana petitioner bu PIC gi damakta hanna tharo amasung madugi matung tarakpada, mahakpu CoBRA PI training gi damakta thamlo. Masigi matung inna, CRO, M & N da thaba DIG (Estt.) gi tarikh 9-06-2021 da thokpa signal adugi copy tarikh 10-06-2021 da makha taba pao khanghallakpa oina petitioner da thakhi. Cheirak asida petitioner na mahakpu CoBRA Sector da tahanba adugi mayokta chathariba writ peritioner asi tharakpani. Asumna su hai madudi, tarikh 24-05-2021 da DIG (Estt.) na thokkhiba mahakki transfer order adu kakthatpinaba gidamakta petitioner na haijarakpa adu maramsu chade chatnabasu yaroi maramdi mahak pu CoBRA da tahanba asi CoBRA PI training mapung fana loishinbagi makha polli. Petitioner na Writ Petition asi hathu-hathuba mawongda lankhatlakpana, masi kakthatfam thok-ee.
5. Chayetnariba transfer order adubu shingnaraduna, petitioner gi maikei da leplibba learned counsel na asunma thammi madudi Petitioner asi tarikh 13-01-2021 da OPS Jorhat gi Office ta gi M & N Sector da transfer tourakkhi amasung tarikh 22-01-2021 da thokpa order amagi matung inna mahakpu M & N Sector HQ da tahankhi amasung madugi matung inna tarikh 20-05-2021 da thokpa order amagi matung inna IGP M & N Sector gi Office ta thabak puba houkhi.
6. Mahakna asumna thammi madudi Standing Order No. 7/2015 adugi para 4 (viii) amasung (ix) da thamliba wafamshing adugi matung inna petitioner asi M & N Sector gi makhada chahi 3 shantileiba mafamda amasung chahi 4 na erang kanba mafam da amadi yamlabada chahi 10 na Sector da leiba amasung chahi 14 na akaknaba zone amada posting pigadabani. Tarikh 22-01-2021 da thokpa signal gi matung inna petitioner bu transfer touraktuna

IGP M & P Sector gi office ta posting pikhi; mathakta palliba provision sing asigi matung inna petitioner asi mahakki Sector da leigadaba matam lina-lina zone da leigadaba gi matam loigadaba watlibani; standing order adubu khonggaonaraduna, Respondent oiriba authority singna petitioner bu transfer toukhi amasung CoBRA sector da tahankhi.

7. Learned Counsel na makha tana thammi madudi standing order No. 7/2015 gi para 9 na hairibasi CoBRA da tahanbagi matangdani amasung Sub-Inspector sing gi fam gi damaktadi leppa chahi asi chahi 30 gi makha ni haina piri. Petitioner asi chahi 34 surabanina, CoBRA da tahanbagi wafam leite; masigi su mathakta petitioner asi CoBRA training yaobasu yaoningde maramdi M & N Sector da posting tabagi matam loidri; amadi chayetnariba transfer adu ningthina mamut tana khallaga toubu oide amadi madu niyam endana thokkhibani. Matou asum touduna, chayetnariba transfer order adu lina-lina chayetnariba tarikh 27-05-2021 da thokkhiba PI training singnal adu kakthatpiduna writ petition asibu ayaba pibinaba haijari.
8. Aduga amaromda, Respondent singgi maikheida lepliba learned counsel na asumna thammi madudi CoBRA unit singda mathou pangthokpangi darkar leirakpa amasung ahangba fam mayam ama leirakpa aduna maram oiraga, petitioner yaona Sub-Inspector 200 CoBRA unit singda makha taba posting pinabagidamakta CoBRA sector da tahankhibani, adubu madu CoBRA PI training mapung fana loishinbagi makha pongani. Chayetnariba transfer aduda pendraduna, mahakki emunggi samshya sing lei haiba maramgi CoBRA sector da mahakpu transfer thaba adu kakthatpinaba haijaraduna petitioner na haija-cherol ama lankhatkhi amasung asumna su khanghallakkhi madudi mahak IPC training di yaoningee amasung CoBRA training di yaoningde. Mahakki haija-cherol adu DIG (Estt.) da lankhatkhi amasung tarikh 09-06-2021 da thokpa signal amagi matung inna, DIG (Estt.) na asumna khanghallakkhi madudi petitioner asi ahanbada IPC training hanna tharo amasung adudagi CoBRA da chagnabagi training tharo.
9. Mahakna makha tana asumna thammi madudi writ petition asi loishindringeida petitionerna tarikh haptaba haija-che ama IG (Pers.), New Delhi da lankhatlakkhi; madu tarikh 11-01-2022 da CRO, M & N Sector gi office na fangkhi; maduda makhoi gi angang oiba ngamdabagi samashya sing leiba maramna tarikh 24-05-2022 da thokkhiba chayetnariba order adugi matung inna mahakpu CoBRA da tahankhiba adu kakpinaba amasung mahakpu M & N HQr da leiba yahanbinaba petitioner na haijakhi. Mahakki haija-che adu tarikh 24-01-2022 da IG (Pers.) New Deli da lankhatkhi.

Tarikh 20-01-2022 da IG CoBRA na signal thokkhi. Maduna asumna khanghallakhi madudi 24 suba batch ki hapta 12 gi oiba CoBRA PI training CJSW & T, Belgaum da houragani amasung petitioner yaona candidate sing tarikh 01-02-2022 gi mamangda mafam aduda masha lakpa mathou tagani. Mahakna asumna thammi madudi 25-01-2022 da IG CoBRA PI training da pao khanghanbaga loinana mahak CoBRA da tahanba adu kakthatpinabagi matangda petitioner na lankhatlakpa haija-cherol adugi matangda louba warep khanghanbaga loinana case adu DIG (Estt.) da pukhatkhi. Paokhum fangdabadagi tarikh 31-01-2021 da ningshing-che ama thakhi amasung madugi paokhum DIG (Estt.) Dte dagi ngaikhi. Chayetnariba transfer amasung PI CoBRA training thaba adu ain gi provision sing gi matung inna toubana amasung meeyam gi swartha da oibana, petitioner na madubu shingnabagi hak leite. Matou asum touduna, writ petition adubu kakthatpinaba haijarak ee.

10. Court asina maikei anidagi thamlakpa wafamsing khannare amasung record ta leiriba machaksing su kupna pare.
11. Petitioner na hainingliba wafamdi asini madudi mahak eng 2007 da CRPF ki constable oina thabak changkhi amasung CRPF ki 14 Bn da amasung J & K da erang kanba mafamda chahi henna posting pikhi; masigi matung tarakpada, mahak eng 2013 da Sub-Inspector of Police oina hapkhi amasung J & K gi Pulwama/Sopian da leiba 14 Bn da erang kanba mafam da chahi 5 posting pikhi. Adudagi, mahak eng 2018 da NEZ da transfer tourakkhi amasung Jorhat Sector da takhi amasung chahi 2 makhai rom Operational Sector da posting pikhi. Madugi matung tarakpada, mahak medical ground da chahi 4 gi oina Manipur amasung Nagaland Sector da tang 13-01-2021 da transfer tourakkhi. Asumna leiringei cheirakta, mahak chahi 4 gi matamdu loidringeida CoBRA Sector da amuk transfer tourakkhi. Chayetnariba order aduda pendraduna, petitioner na haija-cherol sing lankhatkhi; amasung petitioner na haibagi matung inna, haija-cherol sing adu houjik faobada respondent iriba authority singna khannabidri.
12. Chayetnariba transfer order aduda shingnarakpa adu khannadringeida, writ petition asi tharaba matung madugi matung tarakpada thokkhiba sing adu panba darkar oi.
13. Writ Petition asi tharakpada ayaba pibinabagi pukhatlakpa matamda, petitioner bu CoBRA sector da tahankhiba chayetnariba order adubu Court

asina, tarikh 11-06-2021 da thokkhiba order amagi matung inna, tarikh 02-06-2021 da thajinkhiba haija-cherol adu khannabidri haina petitioner na hairabasu, respondent sing gi maikeida lepliba learned counsel na haibagi matung inna tarikh 06-07-2021 da petitioner na haijarakpa adu yadabaga loinana DIG (Estt.) na speaking order ama madugi matangda thokkhre.

14. Masi asumna touba oina ui madudi angang oiba ngamdabagi samashya sing mayoknaba lei haiba maram gi tarikh 24-05-2021 da thokkhiba chayetnariba order gimatung inna, CoBRA da tahankhiba adu kakpinaba amasung mahakpu M & N HQr da mathou touba yahanbinaba Sector gi khuthangda tarikh 11-01-2022 da CRPF, New Delhi da petitioner na haija-che ama lankhatkhi. Petitioner gi haija-che adu IG (Pers.) Dte. Genl. CRPF, New Delhi da tarikh 24-01-2022 da thagatkhi amasung respondent sing gi maikeida lepliba learned counsel na haibagi matung inna, madugi paokhum ngaikhi. Cheirak sida, hapta 12 chatthagadaba CoBRA PI training gi 24 suba batch Belgaum da leiba CSJW & T da houragani haina tarikh 20-01-2022 da IG, CoBRA yaona candidate sing na tarikh 01-02-2022 gi mamangda training centre da laktuna khanghallanaba hairakkhi. IG (Pers.) Dte. Genl. CRPF, New Delhi dagi paokhum ngairingeida, tarikh 01-02-2022 gi mamangda training centre da laktuna khanghallanaba petitioner da darkar tahankhiba tarikh 20-01-2022 da thokkhiba order adu IG, CoBRA na thokfam thoktabani. Masi pumnamak asipalladuna petitioner na lankhatlakkhiba Rejoinder adugi paokhum respondent singna lankhatlakpadagi, madu Court asina order asida pallabani.
15. Tarikh 24-05-2021 da thokkhiba chayetnariba order adubu shingnarakpa aduda laklaga, masi oina ui madudi IG, M & N Sector, Langjing, Imphal gi office ta numit 22 fafattana petitioner na mathou pangthoklingei cheirakta, DIG (Estt.) na chayetnariba order aduthokkhi; hairiba order aduna Manipur amasung Nagaland Sector dagi CoBRA Sector da sector singgi marakta touba transfer toukhi amasung madugi numit 3 ni hek matungda IG, CoBRA na PI training gi damakta 27-05-2021 da thokpa signal adu thokkhi.
16. CRPF Personnel sing transfer toubagi matangda, Directorate General, CRPF na standing order No. 7/2015 thokkhi. Para 4 (viii) kupna paraba matung mashi khangle madudi field station da leibagi mahousana leigadaba matam asi chahi 4 ni; amadi erang kanba mafam amasung shanti leiba station sing gina chahi 3 ni. Para 4 (ix) na asumna hai madudi meeshak amana akaknaba Range/Sector amada yamlabada chahi 10 aduga akaknaba Zone amadana chahi 14 mathou touba yai. NGO amana mahakkihomeZone

nattaba Zone amada mahakki thabak toubagi apunba matam adugi mannungda yamdrabada amuktang oirabasu chahi 14 mathou toubasi tangaifade. Para 4 (xiv) na asumna hai madudi Personal sing asi matam shudana transfer touroidabani amasung Directorate tagi ayaba yaoraga akhannaba matangda khaktadang nattana makhoi matam adu mapung fana leiba yahangadabani. Para 5 (xvii) da asumna hai madudi matam shudana haibadi magi leifam thokpa matam mapung fadringeida transfer order thokpa khuding da, asumna matam shudana transfer toubasi adu maram chahi haina takpa maramsing transfer order aduda pangadabani.

17. Chayetnariba order adudagi uba ngambada, DIG (Estt.) na transfer toubagi piriba maram adudi SOZ CoBRA unit sing da ahangba fam yamna leiba asini. DIG (Estt.) na piriba hairiba maram asi maram chaba watli.
18. Yetnaba leitaba wafamdi asini madudi tarikh 22-12-2020 da lankhatkhiba haija-cherol adugi matung tarakpada, petitioner bu Operational Sector, Jorhat tagi Manipurda transfer tourakkhi amasung madugi matung tarakpada, 22-01-2021 da thokpa signal gi matung inna DIG (Adm) na posting adu thokkhi amasung tarikh 11-04-2021 da Operational Sector dagi thadoklaba matung, petitioner na IGP, Manipur and Nagaland Sector gi office ta tarikh 02-05-2021 da mathou toubasi houkhi. Madugi matung tarakpada, IGP, M & N Sector gi Office na tarikh 20-05-2021 da order ama thokhi. Mathakta pankhibada, mahakna asumna thabak touringei cheirakta, petitioner bu Manipur amasung Nagaland M & N Sector dagi CoBRA Sector da transfer toukhi.
19. Petitioner na M & N Sector, Langjing, Imphal da numit 22 khaktang mathou pangthokkhiba oina ui. Matou asum touduna, numit 22 ni gi manungda petitioner bu CoBRA Sector da transfer toubasi standing order No. 7/2015 gi maiyoktani. Medical ground haibadi angang oiba ngamdabagi samashya adu khaktada yumfam oiraga, petitioner na Jorhat Sector dagi Manipur da transfer toubinaba haijakhibani. Petitioner bu Jorhat Sector dagi Manipur da transfer toukhiba adu medical ground da standing order No. 7/2015 gi matung inna, minungshi utpiba oina chahi 4 gi oina toukhiba oibana, mahakpu Manipur M & N Sector dagi CoBRA Sector da transfer toubasi aduga PI CoBRA induction training yaohanba asi niti niyam kai amasung standing order No. 7/2015 adubu khong-gaonabani. Maram aduna, Court asina asumna thamle madudi tarikh 24-05-2021 da thokkhiba chayetnariba transfer order amasung madugi matung tarakpada tarikh 27-05-2021 da

thokkhiba PI training yaobagi order adu ain gi mityeng da chatraba yaba oide amasung chatnahanfam thokte.

20. Aroibada phal oina Writ Petition asi ayaba pire amasung 24-05-2021 da thokpa chayetnariba transfer order amasung madugi matung tarakpada, tarikh 27-05-2021 da petitioner ga mari leinana thokpa PI training yaobagi order adu kakthatle. Petitioner asi marakki oina taba order gi matung inna houjik leiriba mafamda makha tana leiribana, standing order No. 7/2015 adugi matung inna chahi 4 gi matam loidrifaoba Sub-Inspector of Police/GD oina M & N Sector HQ. da medical ground da petitioner bu mathou pangthokpada ayaba pinaba respondent oiriba authority singda yathang pire.

Case ta changba shel gi matangda order tadre.