

**HIGH COURT OF MANIPUR,
IMPHAL**

W.P.(C) NO. 793 OF 2022

Ravindra Singh Rautela, masagi chahi 55 rom suraba, apokpa gi ming (leikhydraba) Dhyan Singh, leipham na 36/2A Suresh Nagar, Bareilly, Uttar Pradesh-243006, houjikki leiphamna CRPF Station Officer's Mess, Room No.5 Langjing Camp, Imphal West District, Manipur-795113 ni.

...Petitioners/s

- Versus -

1. The Union of Indiabu mahut sillibana Secretary, Ministry of Home Affairs, Government of India, North Block, New Delhi-110001;
2. Director General of Police, Central Reserve Police Force (CRPF), CGO Complex, New Delhi – 110003;
3. The Inspector General of Police, M& N Sector, CRPF, Langjing, Imphal, Manipur – 795113.

... Respondent/s

IKAI KHUMNABAGI MASAK OIRABA MR. JUSTICE

MV MURALIDARAN GI COURT TA

22.09.2022

Petitioner gi learned counsel Mr. S. Biswajit gi wafam sing tare amasung chejan (records) sing cheksinna pare.

[2] Learned Counsel ASG, Mr. Kh. Samarjit na Respondentsing gi mahut sinduna leple.

[3] Maikei animakki counselsing na Writ Petition adubu case tharakpada ayaba pibagi tangkakta loisinbada yanakhi amasung madu Fundamental Rule (FR) 56 (j)/(I) amasung CCS (Pension) Rules 1972 gi Rule 48 ki makhada thabak thouram chalaibagi fibam mapangal kankhathannabagidamakta kendra sarkar gi karmacharisingbu Matam Matamgi oina hanna yengsinnabagidamakta, 28 August 2020 da thokhiba office memorandum adukhaktada yumfam oikhibani; memorandum adugi waroldi makhagi asumnani:-

No.25013/03/2019-Estt.A-IV
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training
Establishment A-IV Desk

.....

North Block, New Delhi-1
Tarik: 28th August, 2020

OFFICE MEMORANDUM

Heeram: - Fundamental Rule (FR) 56 (j)/(I) amasung CCS (Pension) Rules 1972 gi Rule 48 ki makhada thabak thouram chalaibagi fibam mapangal kankhathannabagidamakta kendra sarkar gi karmacharisingbu Matam Matamgi oina hanna yengsinaba

Mathakta palliba heeram asida yaoriba Fundamental Provisionsing/rule gi matung inna miyamgi swartha da sarkar gi karmachari amabu makha tana thabak touhankhigadra natraga thabaktagi pothabagi matam watlingeida thabaktagi pothahangadra haibadu lepthoknabagidamakta sarkargi karmacharisinggi mathou pangthokpagi maong adu matam-matamgi oina hanna yengsinhabagidamakta paotaksing matam-matamgi oina thokhre. Houjik-houjik chatnaduna leiriba paotaksing/yathangsing adu henna mayek senghannaba amasung makhoibu chatnahanbada mayamgi oina mannaba leihanabagidamakta, mafam amada heeram asigi matangda houjik faobada thokhiba chatna pathapsing adu hanna yengsinhaba, henna mapung fahannaba amasung nouhounana ningsinghannaba hotnare.

2. Fundamental Rules (FR) 56(j)/(l) amasung CCS (Pension) Rules, 1972 gi Rule 48 gi pandam di Sarkar gi leingak challaibagi tangkak khudingda mathou khangba amasung matam chana mathou pangthokpa ngamba leingak semgatlada leingakki leingak loisangbu henna mapangal kankhathanba amasung sarkar gi thabak sing pangthokpada matam chana loisinhanba, sel ichang changhandaba amasung thuna loisinhanbani. Niyamsing asigi makhada sarkargi karmacharisingbu thabaktagi pothabagi matam youdringeida, thabaktagi pothahanba asi cheirak piba natte haina mayek sengna khanghalli. CCS (CCA) Rules, 1965 gi makhada lepthoklaba cheirak singi marakta ama oiriba ‘compulsory Retirement’ ga masiga khetnei.

3. Fundamental Rules amasung CCS (Pension) Rules, 1972 da yaoba matam sudringeida thabaktagi pothabaga mari leinaba provision sing

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3.1. FR 56 (j) natraga FR 56 (I) natraga CCS (Pension) rules, 1972 gi rule 48 (j) (b) gi makhada channaba case ki matung inna, prajagi swartha da yenglaga darkar tarabadi, chunnaba Authority aduna sarkar gi karmachari amabu thabaktagi pothahanbagi hak lei.

4. Mathakta pankhriba CCS (Pension) Rules, 1972 gi Rule 48 (1) (b) gi matung inna, petitioner na mahakpu thabaktagi chahi sudana pothahanbagi tarik 13 July 2022 da thokpa order adugi maiyokta haija cherol ama pisillampham thokpani.

5. Yanaraba wafamdi, petitioner na mahakki haija cherol adu July 20, 2022 da

thajinkhi amasung mari leinaba authority da mahakki haija cherol adu thajillu haina petitionerda paotak piraduna madu handorakhi. Maram aduna, petitioner na mahakki haija cherol adu Aug 20, 2022 da pisinkhre.

6. Learned ASG, Mr. Kh. Samarjit na yamna chumna thamlakhi madudi petitionerna mahakki haija cherol adu tarik 28-08-2022 da thanjankhrabanina, wafam adumak tarik 10-10-2022 phaobada natraga madugi mamangda khannagadabani. Masigi matung inna, respondent oiriba authority nasu darkar taba yathangsing thoknanaba thabak paikhatkhi. Madu thoktriba faobadi, petitioner na madu ngaifam thokpani amasung madugi matung khaktada, mahakna Court asida lakpa yai.

7. Petitioner gi counsel Mr. S. Biswajit su hairiba waphan asida yare, amasung mahakna tarik 20-08-2022 da thajinkhiba haija cherol aduga mari leinana, mari leinaba authority na yathang sing pikhiba leirabadi, hairiba yathangsing adubu singnaraduna mahakna court asida lakchaba yabagi ayaba adu court asina pibiyu haijakhi.

8. Thamlakhiba wafamsing asi record ta thamladuna, eihakna makhagi yathangsing asi taba pamle:-

a) Writ Petition asi loisille.

b) Petitioner gi tarik 20-08-2022 da thangatlakpa haija cherol aduga mari leinana channaba yathang akaknaba matamgi manungda thoknanaba respondent singda paotak pire.

c) Petitioner gi tarik 20-8-2022 gi haija cherol aduga mari leinana respondent singna tarakadaba yathang aduda mahakna pendrabadi, Court asida lakpa yabagi ayaba adu petitioner da pire.

9. Mathakki wafamsing thambaga loinana Writ Petition asi loisille.

JUDGE