

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

WP(C) No. 247 of 2023

1. Thokchom Shyam Singh, aged about 52 years, S/O Th. Bidhur Singh of Heingang Awang Leikai, P.O. Mantripukhri & P.S. Heingang, Imphal East District, Manipur, Pin No. 795 002;
2. Thokchom Inao Singh, aged about 57 years, S/O Th. Bidhur Singh of Heingang Awang Leikai, P.O. Mantripukhri & P.S. Heingang, Imphal East District, Manipur, Pin No. 795 002 and
3. Sapam Meratombi Singh, aged about 50 years, S/O Sapam Girani Singh of Heingang Awang Leikai, P.O. Mantripukhri & P.S. Heingang, Imphal East District, Manipur, Pin No. 795 002

.... Petitioners

-Versus-

1. The State of Manipur represented by Commissioner (Revenue), Government of Manipur, Office address at Secretariat Building, P.O. & P.S. Imphal, Imphal West District, Manipur, Pin No. 795 001;
2. The Deputy Commissioner, Imphal East at Porompat, P.O. & P.S. Porompat, Imphal East District, Manipur, Pin No. 795 005.
3. The Director of Settlement and Land Records, Manipur at Lamphelpat, P.O. & P.S. Lamphel, Imphal West District, Manipur, Pin No. 795 004.

.... Respondents

BEFORE
HON'BLE THE ACTING CHIEF JUSTICE MR. MV MURALIDARAN

20.03.2023

[1] Heard Mr. Th. Mahira, learned counsel for the petitioners and perused the record.

[2] Mr. H. Debendra, learned Deputy AG takes notice for the State respondents.

[3] Mr. Mahira, learned counsel for the petitioners represented that pursuant to the Notification dated 30.08.2013 the respondents are attempting to acquire the petitioners' land without due process of law as laid down in "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013".

[4] Therefore, Mr. Mahira, learned counsel for the petitioner is praying for setting aside of the Notification dated 30.08.2013.

[5] Mr. H. Debendra, learned Deputy AG represented that the Notification dated 30.08.2013 was issued as per Section 4(1) of the Land Acquisition Act, 1894 but there is no attempt by the respondents for acquisition of the petitioners' land and therefore, the writ petition itself is not maintainable on the only ground that there is no document to show that the respondents are attempting to acquire the petitioners' land.

[6] As per the above Notification dated 30.08.2013, the names of petitioners are shown at Sl. Nos. 5, 6 and 7 under the title "Schedule of Land for Expansion of Road Leading to Marjing Polo/Pony Complex

at Heingang, Village No. 16-Heingang". Therefore, there is an apprehension that the petitioners have filed this writ petition.

[7] Mr. Debendra, the learned Deputy AG represented that the Notification dated 30.08.2013 was issued as per Section 4(1) of the Land Acquisition Act, 1894 and as on date there is no proposal for acquisition of the petitioners' land.

[8] Anyhow, considering, the arguments advanced by both the parties, I am inclined to pass the following orders :

- a) *this writ petition is disposed of.*
- b) *if the respondents are attempting to acquire the petitioners' land, they should do so by following due process of land as per the provisions of "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013" and not under the provisions of "The Land Acquisition Act, 1894.*

[9] With the above directions, this writ petition is disposed of.

Sushil

ACTING CHIEF JUSTICE