

IN THE HIGH COURT OF MANIPUR

AT IMPHAL

PIL No. 19 of 2013

K. Khomdon Singh Lisam, aged about 65 years, a resident of Southern Palace Compound, Palace Road, Imphal, Manipur

..... Petitioner/s

- Versus -

1. The State of Manipur represented by the Chief Secretary, Government of Manipur, Imphal.
2. The Union of India represented by the Union Health Secretary, Ministry of Health and family Welfare, Government of India, Nirman Bhawan, Maulana Azad Road, New Delhi-110011.
3. The Regional Institute of Medical Sciences (RIMS), Imphal West, Manipur represented by Director of RIMS, Lamphelpat, Imphal West, Manipur.
4. The Deputy Director i/c Regional Institute of Medical Sciences (RIMS), Imphal West, Manipur.
5. The Commissioner (Revenue), Government of Manipur.
6. The Deputy Commissioner, Imphal West, Government of Manipur.
7. The Deputy Settlement Officer (Admn)/APIO, Government of Manipur Imphal West, Lamphelpat, Manipur.
8. The Survey & Settlement Officer, Directorate of Settlement and Land Revenue, Government of Manipur, Imphal West, Lamphelpat.
9. The Popular Pisciculture Association, Manipur regd. No. 3440 of 1981, Purana Rajbari, Opposite Kusum Oil Pump, P.O. Imphal and P.S. Porompat, Imphal East, Manipur represented by the President/Secretary.
10. The Lamphel Rongmei Baptist Church (LRBC) represented by Namga Gangmei, Pastor, RIMS Complex, Lamphelpat, Imphal West.
11. The Lamphel Baptist Church (LBC), represented by K. Jenishing, Pastor, RIMS Complex, Lamphelpat, Imphal West.

.....Respondent/s

B E F O R E
HON'BLE THE ACTING CHIEF JUSTICE M.V. MURALIDARAN
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

For the petitioner	:: Mr. I. Denning, Adv.
For the respondents	:: Mr. Lenin Hijam , AG., Mr. S. Samarjeet, Sr. PCCG and Mr. Serto T Kom, Adv.
Date of Order	:: 16.10.2023

ORDER (ORAL)

A. Guneshwar Sharma, J.

[1] Heard Mr. I. Denning, learned counsel appearing for the petitioner, Mr. Lenin Hijam, learned A.G. for the State respondents, Mr. S. Samarjeet, learned Sr. PCCG for respondent Nos. 2, 3 & 4 and Mr. Serto T Kom, learned counsel for respondent Nos. 10 & 11.

[2] The present PIL has been filed by the petitioner for eviction of 2 (two) churches allegedly encroached in the premises of the RIMS.

[3] The prayer in the PIL is reproduced herein below:

- “(i) to admit the present writ petition*
- (ii) to consider for giving direction to the respondent authority to pass an appropriate order for eviction of the encroachers i.e. respondent Nos. 9, 10 & 11 within a fixed period so as not to disturb the academic atmosphere of the secular Medical Institute in the interest of justice.*
- (iii) to pass any other appropriate order as the Hon’ble High Court may deem fit and proper.”*

[4] Vide order dated 01.08.2023, this Court directed the State respondent to file an affidavit explaining as to whether anything survives in respect of the prayer sought in the petition. When the matter is listed today i.e. 16.10.2023, learned A.G. produced a letter dated 25.09.2023 sent by Sub-Deputy Collector (SDC), Imphal West (Central-I) to the Joint Secretary, Land Resources Department, Government of Manipur stating that 2 (two) churches standing within the campus of RIMS, Imphal was burnt/vandalized in the recent unfortunate incident starting from 03.05.2023 and the structures are not serviceable at present. It is also stated that no construction of any structures nor any fishing activity take place by outsiders including members of the so called Pisciculture Association, Manipur within the campus of RIMS.

[5] The letter dated 25.09.2023 is reproduced herein below:

**“GOVERNMENT OF MANIPUR
OFFICE OF THE SUB-DEPUTY COLLECTOR,
IMPHAL WEST (CENTRAL-I): MANIPUR**

*No.1/SDC/IW(C)/Estt/90/388 Lamphel, the 25th September, 2023
To,*

*The Joint Secretary,
Land Resources Department,
Government of Manipur.*

*Subject: Request to furnish necessary instruction as sought by the
Divisional Bench of the Hon'ble High Court-reg.*

*Ref: PIL No. 19 of 2013 (Dr. Khomdon Singh Lisam –vs- State of
Manipur & Ors.*

Sir,

*Inviting reference to the subject above, I have the honour to
state there are two church structures standing within the campus of
RIMS, Imphal. However, these two structures are found*

burnt/vandalized in the recent unfortunate communal flare-up starting May 3, 2023. These structures are found not serviceable at present.

Further, upon making a field enquiry including collecting verbal reports of the occupants of the various official quarters of RIMS and engineering staff of RIMS, it has been found that no construction of any structures nor any fishing activity take place by outsiders including members of the so called Pisciculture Association, Manipur within the campus of RIMS.

Yours faithfully,

*(Humnam Dhanendra Singh)
Sub-Deputy Collector,
Imphal West (Central-I)*

Copy to:

1. SDO, Lamphei.”

[6] Learned AG submits that in terms of the contents of the letter dated 25.09.2023 of the SDC, Imphal West (Central-I), the cause of the present PIL does not survive as the 2 (two) structures allegedly encroached in the RIMS campus were demolished during the violence in Manipur in May, 2023 and there is no fishing activities inside the campus of RIMS.

[7] Learned counsel for the petitioner as well as respondents also agrees with the submission made by the learned A.G.

[8] Recording the submission made at the bar as well as contents of the letter dated 25.09.2023, the present PIL is closed as the cause does not survive.

JUDGE

ACTING CHIEF JUSTICE

FR/NFR

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JOSHUA
MARING

Digitally signed
by KH. JOSHUA
MARING
Date: 2023.10.31
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