

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

**CONT.CAS(C) No. 71 of 2023**

Elesha Pou John & 2 Ors.

***...Petitioners***

**- Versus -**

Dr. Vineet Joshi & 4 Ors.

***...Respondents***

**B E F O R E  
HON'BLE THE CHIEF JUSTICE MR. SIDDHARTH MRIDUL**

**ORDER**

**23-11-2023**

Mr. R.S. Reisang, learned senior counsel, appears for the petitioners; Mr. E. Premjit, learned counsel, appears for respondent No. 5 through video conferencing; Mr. Juno Rahman, learned counsel, appears for respondent No. 1; Dr. R.K. Deepak, learned counsel assisted by Mrs. I. Bimola, learned counsel, appears for respondent No. 6; and Mr. M. Devananda, learned Addl. Advocate General, appears for State of Manipur.

The present contempt petition is instituted on behalf of the petitioner, Shri Elesha Pou John, in sum and substance, praying for initiation of contempt proceedings against the official respondents on account of the latter's failure to comply with the directions issued by the learned Single Judge of this Court vide order dated 01-02-2023 in WP(C) No. 85 of 2023. Mr. M. Devananda, learned Addl. Advocate General appearing on behalf of the State of Manipur has handed over in Court today the order passed by the Hon'ble Governor of the State of Manipur dated 02-11-2023 after providing an advance copy thereof to the learned counsel appearing on behalf of the petitioner.

At the outset, it is observed that vide order dated 01-02-2023, this Court was pleased to direct as follows:—

*“[11] Since the petitioners has sought for only a direction to the Respondent Nos. 1, 2 & 3 to pass appropriate order on the Representation dated 16-01-2023 of the petitioners, this Court, without issuing notice to the respondents No. 4 & 5, is inclined to pass order for which no prejudice would be caused to the respondent No. 4 & 5. Therefore, considering the nature of issues involved, without going into the merits and demerits of the case, I am inclined to pass the following orders:*

- (i) this writ petition is disposed of;*
- (ii) the respondent No. 2 is hereby directed to consider the representation dated 16-01-2023 of the petitioner and pass a speaking order for taking action under the relevant provision of Banning of Unregulated Deposit Schemes Act, 2019;*
- (iii) the above exercise shall be completed within a period of 2 (two) months from the date of receipt of a copy of this order.”*

A plain reading of the above extracted directions leaves no manner of doubt that the official respondents were directed to consider the representation dated 16-01-2023 filed by the petitioner herein and dispose of the same by way of a speaking order for taking action under the relevant provisions of Banning of Unregulated Deposit Schemes Act, 2019.

A perusal of the said order dated 02-11-2023 and in particular paragraph 13 thereof, clearly and unequivocally reflects that the said representation dated 16-01-2023 filed on behalf of the petitioner, after

Careful examination and consideration, has been allowed under the provisions of BUDS Act and the necessary action thereon has already been initiated.

In view of the foregoing, in my considered view, the directions issued by this Court vide order dated 01-02-2023 have been complied with *in toto*.

Learned senior counsel appearing on behalf of the petitioner, however, states that the said order dated 02-11-2023, issued on behalf of the Hon'ble Governor of the State of Manipur, is not complete compliance with the directions issued by this Court vide order dated 01-02-2023 for the reason that the proceedings under the provisions of BUDS Act have not been concluded and finalized.

I find myself unable to agree with the contention urged on behalf of the petitioner for the reason that the directions issued by this Court vide order dated 01-02-2023 were limited to directing the official respondents to consider the representation dated 16-01-2023 and dispose of the same by way of a speaking order for taking action under the provision of BUDS Act, 2019; which direction in my considered view has been complied with by the other side.

The contemnor is accordingly discharged and the contempt petition is disposed of accordingly.

**CHIEF JUSTICE**

*Victoria*