

Item No. 115

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

Cont.Cas(C)No.167 of 2019
Ref: WP(C)No.35 of 2005

S.K Thangkho @ Thankhopao

...Petitioner

- Versus -

Dr. J. Suresh Babu, & 2 Ors.

...Respondents

**BEFORE
HON'BLE THE ACTING CHIEF JUSTICE M.V.MURALIDARAN
ORDER**

20.03.2023

[1] Heard Mrs. G. Pushpa, learned counsel appearing for the petitioner and Mr. U. Augusta, learned counsel appearing for the respondents.

[2] Mrs. G. Pushpa, learned counsel appearing for the petitioner represented that she has filed the present contempt application for non-compliance of the order passed by this Court in WP(C)No.35 of 2005 dated 30.10.2018 in which this Court had directed the Secretary of the Government or duly authorized officer to make spot survey at the Lhanchong Village and address the grievances of the people more particularly, the petitioner and village heads on the grievances as expressed by them in relation to ethnic

conflict happened in the year 1993-97 and take a decision preferably within a period of 3(three) to 6(Six) from the date of receipt of a copy of the order.

[3] After issuance of notice, the respondent has filed MC(Cont.Cas(C)No.23 of 2023 seeking prayer to close the contempt application in terms of the order No.1/28/2021-Hills(HC) dated 07.02.2023 passed by Deputy Secretary(TA & Hills), Government of Manipur.

[4] Mr. U. Augusta, learned counsel appearing for the respondents represented that as per the Court's order dated 30.10.2018, the respondents have passed order on 07.02.2023 by Deputy Secretary(TA & Hills) Government of Manipur which read as follows:-

“11. In view of the above, the rest of the petitioners; (i) S.K. Thangkho @ Thongkhopao R/O Motbung village (ii) Shri Paochon Kipgen R/O Leikot village, PO Motbung (iii) Shri Lalkhothang Khongsai R/O Lamphel Super Market (iv) Smt. Neithem Lhouvum R/O Motbung Bethel and (v) Smt. Hevah Khongsai R/O Saikul Bazaar may approach the office of the Directorate of Tribal Affairs and Hills, Manipur on a convenient dated and collect the said materials. This is issued in compliance of the Hon'ble High Court order dated 30.10.2018 and 29.08.2019 passed in WP(C)No. 35 of 2005 and WP(C)No.214 of 2019.”

[5] By citing the order dated 07.02.2023, Mr. U. Augusta, learned counsel appearing for the respondents represented that the order passed by this Court dated 30.10.2018 in WP(C) No.35 of 2005 has been properly

complied with. Therefore, he prayed this Court to close the contempt application.

[6] Mrs. G. Pushpa, learned counsel appearing for the petitioner strongly objecting by saying that though the order has been passed by Deputy Secretary(TA & Hills) Government of Manipur ,dated 07.02.2023, it is not fully complied with the order passed by this Court in WP(C)No.35 of 2005 dated 30.10.2018. Therefore, she prayed this Court to pass suitable order.

[7] After hearing both sides and on perusal of the order dated 07.02.2023 passed by the Deputy Secretary(TA & Hills), Government of Manipur, this Court has come to the conclusion that the respondents have properly passed order by making spot visit and issued the present order dated 07.02.2023 in compliance of the Court's order dated 30.10.2018 passed in WP(C)No.35 of 2005 and if at all the petitioner has any grievance in the order dated 07.02.2023, he should work out his remedy separately.

[8] In the above circumstances,

(a) the contempt application is closed.

(b) the petitioner is at liberty to work out his remedy, if aggrieved by the order dated 07.02.2023 by filing separate proceeding.

ACTING CHIEF JUSTICE

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