

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

WP(C) No. 949 of 2021

Mr. Ngamkhokhai Haokip, aged about 58 years, S/o
Ngamkholet Haokip, Village Chief of Gwaltaibi Kuki
Village, P.O. & P.S.-Saikul, District-Kangpokpi,
Manipur-795145.

..... Petitioner

-Versus -

1. The State of Manipur represented by the Addl. Chief Secretary, Govt. of Manipur and its Office at Babupara, Manipur-795001.
2. The Secretary/Commissioner (Revenue), Govt. of Manipur and its Office at Babupara, Manipur-795001.
3. The Deputy Commissioner, Kangpokpi and its Office at Kangpokpi DC Complex, Kangpokpi, Manipur, Pin No. 795129.
4. The Deputy Commissioner, Kamjong and its Office at Kamjong DC Complex, Kamjong, Manipur, Pin No. 795129.
5. The Secretary, Ministry of Road Transport & Highways, Government of India and its Office address at Transport Bhawan-1, Parliament Street New Delhi-110001 and

6. The National Highways and Infrastructure Development Corporation Ltd. represented by its General Manager, Lamphel, near Officer Club, Imphal, Manipur, Pin No. 795004.

.....**Respondents**

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

For the Petitioner	::	Mr. Ajoy Pebam, Advocate
For the Respondents	::	Mr. Sh. Shyam Sharma, GA Mr. BR Sharma, Adv. Mr. Ng. Jotindra, Adv. Ms. W. Geetarani, Adv.

Date of Hearing and Judgment & Order	::	17.02.2023
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JUDGMENT AND ORDER
(ORAL)

Heard Mr.Ajoy Penam, learned counsel for the petitioner; Mr.Shyam Sharma, learned Government Advocate for the fourth respondent and Mr. Ng Jotindra, learned counsel for the sixth respondent.

2. This writ petition has been filed by the petitioner for issuance of a writ of mandamus directing the first respondent to settle the dispute of boundaries of two Districts namely Kangpokpi and Kamjong and to pay the compensation of the petitioner's land for expansion of the Imphal-Ukhrul road falling

within Gwaltabi Kuki Village, Kangpokpi District, Manipur by considering the representation of the petitioner dated 22.11.2021.

3. The case of the petitioner is that Gualtabi Village, is also called as Gwantabi Village, was established in the year 1956 and the said Village was recognized by the Government of Manipur. The Election Department, vide its notification dated 19.1.1972, mentioned that the said Gwaltabi Village is within the jurisdiction of Lamlai Assembly Constituency under 5/2-Yaingangpokpi. After the demise of Ngamkholet Haokp (father of the petitioner) who was the Chief of the Gwantabi Village, the Chiefship of Gwantabi Village was transferred to the petitioner vide order dated 6.1.1997 of the SDO, Sadar Hills East, Saikul and, accordingly, the name of the petitioner was also entered in the Touzi Book maintained by the State Government. The petitioner's father and the petitioner have been paying the Hill House Tax of Gwaltabi Village since 1956 till date.

4. Further case of the petitioner is that the Ministry of Road Transport and Highways, Government of India, has taken up various projects through its company namely National Highway Infrastructure Development Corporation Limited, the

6th respondent herein, for construction of new road, expansion and development of National Highways. The 6th respondent has undertaken the project of expanding NH-202 from Yaingakpokpi village to Finch Corner in Ukhrul District. The petitioner also came to understand that a project for widening of Imphal-Ukhrul Road NH-202 to double lane would be taken up by the sixth respondent without issuing notification in respect of Gwalabi Village and in this regard the petitioner has submitted an objection on 22.2.2021 to the Deputy Commissioner, Kangpokpi District and due to the said project of expansion of the Imphal-Ukhrul road, the land of the petitioner has been affected. Hence, on 24.2.2021, the petitioner submitted a representation to the SDO, Lungtin Block, Saikul, followed by two other representations dated 14.4.2021 addressed to the Chief Secretary, Government of Manipur and the General Manager of the 6th respondent claiming payment of compensation for the affected land in favour of the petitioner. The petitioner has also submitted various representations to various authorities.

5. According to the petitioner, on 22.11.2021, he has submitted a representation to the Chief Secretary, Government

of Manipur and the 6th respondent requesting for bringing the settlement of dispute of boundaries between two Districts namely Kangpokpi District and Kamjong District and also to stop construction work in Gwaltabi Village in connection with the project of widening of Imphal-Ukhrul Road NH-202 to two lane from Yaingangpokpi Village to Finch Corner, Ukhrul to 31 Kms and also not to release any compensation amount for the land acquisition in the Gwaltabi Village area. On 4.12.2021, the petitioner submitted another representation to the Secretary, Ministry of Road Transport and Highways, Government of Manipur requesting to halt the disbursement of the compensation amount in respect of the land acquisition at the area Thawai Village until the dispute with regard to boundaries of the two Districts is settled. Since no action was taken on the said representation, again the petitioner submitted another representation dated 8.12.2021 to the Deputy Commissioner, Kangpokpi District requesting for initiation of the process of bringing the settlement of the dispute of boundaries between the two Districts, namely Kangpokpi and Kamjong Districts. Despite receipt of the aforesaid representations, the same have

not been considered and disposed of till date. Hence, the writ petition.

6. During the course of arguments, the learned counsel for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondent authorities to consider the petitioner's representations dated 22.11.2021 and 8.12.2021 and dispose of the same within a stipulated time that may be fixed by this Court.

7. The learned Government Advocate as well as the learned counsel for the sixth respondent agreed for disposal of the writ petition with the direction as prayed for by the learned counsel for the petitioner.

8. Having regard to the limited scope of the prayer that is now sought for by the petitioner and taking into consideration the submission made on either side, without expressing any opinion on the merits of the petitioner's representations or the case pleaded by the petitioner in the instant writ petition, the writ petition is disposed of with a direction to the respondent authorities to consider the representations dated 22.11.2021 and 8.12.2021 submitted by

the petitioner and pass appropriate orders, on merits and in accordance with law, after affording reasonable opportunity to the petitioner, within a period of three months from the date of receipt of a copy of this order. There will be no order as to costs.

ACTING CHIEF JUSTICE

FR/NFR

Sushil