

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

WP(C)No.778 of 2022

1. Paokhomang Haokip, Chief of Shangkhai village, aged about 73 years old, S/o late Onjangam Haokip a resident of Shangkhai Village, PO & PS Litan, Ukhrul District, Manipur-795142.
2. Paokhojang Khongsai aged about 70 years S/o Late. Thongjang Khongsai, a resident of Shangkhai Village, PO & PS Litan, Ukhrul District, Manipur-795142.
3. Khuptinlal Fimate aged about 30 years S/o Sheija Fimate, a resident of Shangkhai Village, PO & PS Litan Ukhrul District, Manipur-795142.

...Petitioners

- Versus -

1. The Union of India represented by its Secretary, Ministry of Road Transport and Highways, Government of India, Transport Bhawan, 1, Parliament Street, New Delhi-110001.
2. The National Highway and Infrastructure Development Corporation NHIDCL, represented by its General Manager (T) having its office at NHIDCL, HQ, 3rd Floor PTI Building, 4 Parliament Street, New Delhi-110001.

3. The General Manager (P), Branch Office, Imphal, the National Highway and Infrastructure Development Corporation(NHIDCL), having its office, at 2nd Floor, Transit Hostel Officer's Club, Lamphelpat, PO & PS Lamphel, Imphal West, Manipur-795004.
4. The Deputy Commissioner/District Collector, Ukhrul District, DC Office Complex, Ukhrul, PO & PS Ukhrul Manipur.
5. The Commissioner(Revenue), Government of Manipur, at Old Secretariat (South Block) Bapupara, Imphal PO & PS Imphal West, Imphal West District Manipur-795001.
6. The Sub Divisional Officer, Mini Secretariat Ukhrul, PO & PS Ukhrul, Ukhrul District, Manipur-795142.

...Respondents

BEFORE
HON'BLE MR. JUSTICE MV MURALIDARAN

ORDER

30.01.2023

[1] Heard Mr. Tungrei Ngakang, learned counsel appearing for the petitioners; Mr. NG Jotindra, learned counsel appearing for the private respondent Nos. 2 & 3 and Mr. Shyam Sharma, learned GA for the State respondents.

[2] Mr. Tungrei Ngakang, learned counsel appearing for the petitioners represented that the petitioners have filed the present writ petition seeking the prayer as follows:

(b) direct the respondents to rectify the relatives/families correct names of the 71 graveyard of Shangkai Village and pay the compensation amount already deposited/lying in the account of DC, Ukhurul.

(c) direct the respondents to pay interest from Rs.30,000/- @ 6% pa from the date of Revised Compensation issued by the DC, Ukhurul dated 30.04.2021.

[3] Therefore, he prayed this Court to issue directions to the respondents to pay the compensation amount with interest at 6% per annum from the revised compensation issued by the DC, Ukhurul dated 30.04.2021.

[4] Mr. NG. Jotindra, learned counsel appearing for the respondent Nos. 2 & 3 represented that they are not necessary party except to execute the order passed by the State respondents.

[5] Mr. Shyam Sharma, learned GA for the State respondents argued the case by stating that the petitioners have filed the present writ petition seeking to pay the compensation amount for each graveyard numbering 71(Seventy one) and the State respondents are ready to pay the compensation awarded at the rate of Rs.30,000/- per graveyard to the next of kin in respect of 71(seventy one) deceased. To that effect, the Addl. Deputy Commissioner, Ukhurul sent letter dated 16.01.2023 to him in which it is stated as follows:

“Subject: WP(C)No.778 of 2022

Shri Paokhomang Haokip & others

Vs

The State of Manipur & others

Sir, In continuation of this office letter of even no dated 15.11.2022 wherein parawise comment of the writ petition was furnished, I am to state that the compensation awarded at the rate of Rs 30,000/- per graveyard has been made to the next of kin in respect of 71(seventy one) deceased.

Yours faithfully

(Chunglenmang)

Addl. Deputy Commissioner, Ukhrul"

[6] By producing the said letter dated 16.01.2023 and also by showing the beneficiaries which was submitted by Shangkai Christian Church, the State respondents are ready to pay the said compensation amount of Rs.30,000/- per graveyard to the next of kin in respect of 71 (seventy one) deceased.

[7] Mr. Tungrei Ngakang, learned counsel appearing for petitioners agreed that as per the letter dated 16.01.2023, they already submitted the 71(Seventy one) list of persons and he also undertakes to furnish one more copy of the 71(seventy one) graveyard with the next of kin in respect of 71(seventy one) deceased and the writ petition may be disposed of accordingly.

[8] Considering the nature of the argument advanced by both the counsels, I am inclined to pass the following orders:

(a) the writ petition is disposed of.

(b) the petitioners are directed to furnish the names of the next of kin in respect of 71(Seventy one) deceased within period of 1(one) weeks from the date of receipt of copy of this order.

(c) On receipt of the same, the respondent No.4 is directed to pay the compensation amount awarded at the rate of Rs.30,000/- to each kin of the 71(Seventy one) deceased within a period of 4(four) weeks thereafter.

JUDGE

John kom