

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

WP(C) No. 97 of 2024

Poubi R Naga

Vs.

State of Manipur & 4 ors.

...Petitioner/s

...Respondent/s

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

05-02-2024

Heard Mr. D. Julius Riamei, learned counsel appearing for the petitioner and Mr. Th. Vashum, learned GA appearing for respondent Nos. 1 to 4.

[2] In view of the issues raised in the present writ petition and as agreed to by both the learned counsel appearing for the parties, the present writ petition is being disposed of at the motion stage itself.

[3] The present writ petition has been filed with a prayer for quashing and setting aside the report dated 23-12-2022 submitted by the Sub Divisional Officer, Kangchup, Geljang, Kangpokpi District, Manipur and the report dated 25-01-2023 submitted by the Deputy Commissioner, Kangpokpi to the Secretary (Revenue), Government of Manipur and couple with a prayer for quashing and setting aside or any consequential orders issued in pursuance with the impugned reports.

[4] The main grievance raised by the petitioner in the present writ petition is that before submitting the impugned two notices, no notice was given to him and no opportunity of being heard was given to the petitioner. It has also been submitted by the learned counsel appearing

for the petitioner that the private respondent No. 5 has also suppressed material facts during the process of preparation of the said two impugned notices. Mr. D. Julius Riamei, learned counsel appearing for the petitioner submitted that the present writ petition can be disposed of by directing the Commissioner/Secretary (Revenue), Government of Manipur, respondent No. 2 herein to give an opportunity of being heard to the present petitioner before acting on the said two impugned notices and before passing any order on the basis of the said two impugned notices.

[5] Mr. Th. Vashum, learned GA appearing for the respondent Nos. 1 – 4 fairly submitted that at the time of consideration of any objections raised by the present petitioner to the two impugned reports, the private respondent No. 5 be also be given to have a say and to raise any objection as deem fit and proper.

[6] After hearing the submission advanced by the learned counsel appearing for the parties and after perusal of the records of the present case, this Court is of the considered view that interest of justice will be served by disposing of the present writ petition by giving the following directions:-

- (1) The Commissioner/Secretary(Revenue), Government of Manipur is hereby directed to issue notice to both the present petitioner as well as the private respondent No. 5 and to give reasonable opportunity of being heard to both of them in connection with the impugned reports dated

23-12-2022 and 25-01-2023 before issuing any order on the basis of the said two impugned reports.

(2) The Commissioner/Secretary(Revenue), Government of Manipur is given liberty to decide the issues after hearing both the petitioner as well as the private respondent No. 5 and to pass any appropriate order as deem fit and proper.

[7] With the above directions, the present writ petition is disposed of.

JUDGE

Dhakshori

LAISHRAM
DHAKESH
ORI DEVI

Digitally signed
by LAISHRAM
DHAKESHORI
DEVI
Date: 2024.02.05
13:12:06 +05'30'