

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

WP(C) No. 294 of 2024

Lainingthou Pakhangba Transport Assn.

... ***Petitioner***

Vs.

State of Manipur & ors.

... ***Respondents***

With

WP(C) No. 270 of 2024

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

O R D E R

05-06-2024

[1] Heard Mr. M. Hemchandra, learned senior counsel assisted by Ms. Rinika Maibam, learned counsel appearing for the petitioner and Mr. M. Devananda, learned Addl. AG assisted by Ms. Jyotsana, learned counsel appearing for the respondents.

[2] The petitioner has earlier approached this court by filing a writ petition being WP(C) No. 41 of 2023 raising the same grievances as raised in the present writ petitions and the said writ petition was disposed of by an order dated 05-03-2024 with the following directions:-

"Taking into consideration the submission advanced by the learned counsel appearing for the parties, the present writ petition is disposed of with the following directions:-

- (1) The petitioner is given liberty to approach the competent authority by filing a detailed representation requesting to finalize the sequence of the vehicles for the particular parking slot within a period of 2 (two) weeks from today;***
- (2) On submission of such representation by the petitioner, the competent authority is to consider the said representation and dispose of the same by issuing a speaking order within a period of 1 (one) month from the date of receipt of the said representation;***
- (3) It is made clear that if the petitioner fail to submit any representation within the stipulated period, the authorities are at liberty to pass any appropriate order.***

It is further made clear that till the disposal of the representation, the present arrangement of parking of

vehicles in respect of the parking slot in question shall continue.

Needless to mention that the earlier interim order passed by this court stands merged with the present order.”

[3] It is the case of the petitioner that the petitioner could not submit its representation within the stipulated time given by this court and that the authorities have passed the order impugned herein without considering the representation of the petitioner and without hearing the side of the stakeholders.

[4] Mr. M. Hemchandra, learned senior counsel appearing for the petitioner submitted that the present two writ petitions can be disposed of by simply directing the concerned authorities to consider the matter afresh by taking into consideration the representation dated 22-04-2024 submitted by the petitioner on its own merit and in terms of the applicable rules and to dispose of the same by issuing a speaking order within a stipulated period.

[5] Mr. M. Devananda, learned Addl. AG fairly submitted that as the prayer made on behalf of the petitioner is limited to re-consideration of the issue raised in the present writ petitions by taking into account the representation submitted by the petitioner, he has no objection in disposing of the writ petition as prayed for by the counsel appearing for the petitioner.

Mr. M. Devananda, learned Addl. AG further submitted that as the petitioner did not submit its representation within the stipulated period mentioned in the order passed by this court, the authorities have no option but to pass the impugned order in terms of the directions given by this court. The learned counsel further submitted that the authorities, however, have no reservation in re-considering the matter afresh by taking into account the representation submitted by the petitioner.

[6] In view of the submission made by the counsel appearing for the parties, the present writ petitions are disposed of with the following directions:-

- (a) The impugned order dated 20-03-2024 is hereby set aside in order to facilitate the authorities in reconsidering the matter again. However, it is made clear that this court has not considered and decided anything on merit;
- (b) The Commissioner (Transport) is hereby directed to re-consider the whole matter afresh by taking into consideration the representation dated 22-04-2024 submitted by the petitioner and to pass appropriate orders in terms of the applicable rules; and
- (c) The whole process should be completed within a period of two months from today.

With the aforesaid directions, the present writ petitions are disposed of.

JUDGE

Devananda

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

MC(WP(C)) No. 232 of 2024

Lainingthou Pakhangba Transport Assn.

... Petitioner

Vs.

State of Manipur & ors.

... Respondents

With

MC(WP(C)) No. 267 of 2024

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

O R D E R

05-06-2024

In view of the order passed today in the connected writ petitions,
the present applications stands disposed of.

JUDGE

Devananda