

Item No. 9

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

MC(WA) No. 69 of 2020

Ref:- WA No. 48 of 2020

Dr. K. Heera Kabui, aged about 65 years, S/O (L) K. Pouril Kabui, a resident of Kakhulong Paona Bazar, P.O. & P.S. Imphal, Imphal West District, Imphal West, Manipur – 795001.

Applicant/Writ Appellant

Vs.

1. State Level Gaan Ngai Celebration Committee, Manipur, Regd. No. 704 of 2015 having its registered office at Dimdailong Sanjenthong, P.O. & P.S. Porompat, Imphal East District, Manipur represented by its Secretary Jenbung Kamson, aged about 32 years, S/o (l) Manamasha Kamson, resident of Chingmeirong Kabui Khul Mamang Leikai, Laipham Siphai, District Imphal East, Manipur – 795010.
2. The State of Manipur represented by the Principal Secretary/Commissioner (TA & Hills), Government of Manipur, P.O. & P.S. Imphal, Imphal West District, Manipur (Secretariat South Block), Manipur – 795001.
3. The Director, Tribal Affairs, Hills and Scheduled Caste Development, Government of Manipur, P.O. & P.S. Imphal, Imphal West District, Manipur at Babupara-795001.
4. The Principal Secretary (Finance), Government of Manipur, P.O. & P.S. Imphal, Imphal West District, Manipur, Chief Minister's Secretariat – 795001.

Respondents

BEFORE
HON'BLE THE CHIEF JUSTICE MR. SIDDHARTH MRIDUL
HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU KABUI

ORDER

21.08.2024

Siddharth Mridul, C.J.:

The present application has been instituted on behalf of Dr. K. Heera Kabui claiming to be the Chairman of the Manipur Kabui Union praying as follows :-

“It is, therefore, most respectfully prayed that this Hon’ble Court may graciously be pleased to allow to grant leave/permission to prefer the connected writ appeal by way of considering in this accompanying Misc. Application for the ends of justice.”

Having heard Ms. N. Deepika, learned counsel appearing on behalf of applicant/appellant; Mr. S. Nepolean, learned GA appearing on behalf of respondents No. 2, 3 and 4; and Mr. BP Sahu, learned senior counsel appearing on behalf of respondent No. 1, it is observed that it is the asseveration of the applicant that the Government of Manipur through Secretariat : Tribal Affairs and Hills Department issued Guidelines on the 4th January, 2020 in relation to the Celebration of the State Level Gaan-Ngai Festival.

In terms of the clause 2 (a) of the said Guidelines dated 4th January, 2020, the President/Chairman of the Manipur Kabui Union was constituted to be the Chairman of the Gaan-Ngai Celebration Committee, Manipur.

It is the applicant's case that pursuant to the above Guidelines, the State Level Kabui Gaan-Ngai Celebration was held on 8th January, 2020 at Sawombung Kabui Khunjao.

It is further the case of the applicant that vide order dated 24th January, 2020, a sum of Rs. 10,00,000/- (Rupees ten lakhs only) was sanctioned as Grant-in-Aid for organizing the State Level Gaan-Ngai Festival, 2020.

It is in above factual background that the applicant seeks to assail the said impugned order dated 20.10.2020, rendered without making him a party to WP(C) No. 1 of 2020, since the same is adverse to his interest, inasmuch as, it directs as follows :-

“(a) The State Government shall withdraw the guidelines dated 04-01-2020 forthwith and frame the new guidelines, as suggested by the experts, laying down the eligibility criteria and the procedure to be followed while selecting the applicant/claimant for providing grant-in-aide to organize the State Level Gaan-Ngai Festival. This exercise shall be completed by the end

of November, 2020 so that an organization can be selected by the State Government, on that basis and well in advance, in order to organize the State Level Gaan-Ngai Festival, 2021 probably in January, 2021.”

In view of the foregoing, we are satisfied that the applicant was a proper and necessary party to the writ petition in which the impugned order dated 20.10.2020 has been rendered. Consequently, we are further satisfied that the applicant should be granted leave to appeal.

Resultantly, the application is allowed.

At this juncture, Mr. I. Lalitkumar, learned senior counsel appearing on behalf of the applicant/appellant, on instructions from Miss N. Deepika, states that they shall withdraw ***WP(C) No. 392 of 2021 (K. Heera Kabui Vs. State of Manipur and Others)*** and ***WP(C) No. 32 of 2023 K. Heera Kabui Vs. State of Manipur and Others)*** pending before the learned Single Judge of this Court forthwith without demur.

JUDGE

CHIEF JUSTICE

Sushil