

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

WP(C) No. 625 of 2022

Gurumayum Padma Devi & 2 ors.

Petitioners

Vs.

Imphal Municipal Corporation & 2 ors.

Respondents

BEFORE

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

22.08.2024.

Heard Mr. S. Rajeetchandra, learned counsel appearing for the petitioners; Mr. L. Raju, learned counsel appearing for respondent No. 1; Mr. Phungyo Zingkhai, learned Dy. G.A. appearing for respondent No. 2; and Mr. Chittaranjan, learned counsel appearing for respondent No. 3.

The present writ petition has been filed with a prayer for quashing and setting-aside the order dated 25.11.2021 issued by the Imphal Municipal Corporation(IMC) cancelling the lease certificate dated 23.10.2021 issued in favour of the writ petitioners.

The only ground raised by the present petitioners is that before passing the impugned order, the authorities did not give any show-cause notice or opportunity of being heard to the petitioners and the same had been issued in complete violation of the principles of natural justice.

It has been further submitted that the authorities of the Imphal Municipal Corporation (IMC) has not disclosed any omission as indicated in the impugned order till today.

The learned counsel accordingly prays for quashing and setting-aside the impugned order on the said grounds.

Mr. L. Raju, learned counsel appearing for the IMC submitted that due to oversight a lease certificate dated 23.10.2021 was issued in favour of the present petitioners, which is an apparent error and accordingly, the respondents on coming

to know about the error being committed by the authorities of the IMC, the impugned order has been issued to correct such error. Learned counsel, however, fairly submitted that no notice was given to the present petitioners before passing the impugned order. Learned counsel accordingly submitted that the present writ petition may be disposed of by giving liberty to the IMC to consider the matter afresh again.

In view of the submissions made above, this Court is of the considered view that interests of justice will be served by passing the following orders:-

- (i) The impugned order dated 25.11.2021 is hereby quashed and set-aside as the same has been issued in complete violation of the principles of natural justice.
- (ii) The respondent No. 1, i.e. Imphal Municipal Corporation (IMC) is given liberty to reconsider as to whether the lease certificate dated 23.10.2021 issued in favour of the petitioners has been rightly and validly issued in favour of the petitioners or not. In the event of taking up such a measure, it is made clear that the IMC should give prior notice to all the stakeholders including the writ petitioners and the private respondent No. 3 and to pass appropriate orders in that regard.
- (iii) The whole process shall be completed within a period of 3(three) months from today.

It is made clear that pending consideration and passing of appropriate orders by the IMC, status-quo as on today with regard to the said shop/stall No. 15 shall be maintained.

With the aforesaid directions, the present writ petition is disposed of.

JUDGE

Indrajeet