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

W.P. (C) No. 198 of 2017

Item no. 22

Col K. Achouba Singh

... *Petitioner*

- *Versus* -

State of Manipur and 4 Ors.

... *Respondents*

**B E F O R E
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

ORDER

02.09.2025

[1] Heard Mrs. I. Bimola, learned counsel for the petitioner and Mr. Th. Sukumar, learned GA for the State respondents.

[2] By the present petition, the petitioner approached this Court for directing the State Authorities and respondent no. 5 for dismantling of the building of petitioner and also to pay compensation to the petitioner for the damage done to the house of the petitioner and the prayer of the petitioner is reproduced herein below:

- i. *Call for the records of the case and issue rule nisi calling upon the Respondent no. 1 to show cause as to why the prayer prayed for by the petitioner should not be granted. And, after hearing them your Lordships may make the rule absolute;*
- ii. *Issue a writ of Certiorary, Mandamus and/or any other appropriate writ/order/direction to direct the concerned authority and Respondent No. 5 to demolish / dismantle the building or a portion thereof to bring the building within the permissible height in the Imphal Municipal Area;*
- iii. *Pass any appropriate writ / order / direction so that this Hon'ble Court may be pleased to direct the concerned authority and / or Respondent No. 5 to pay compensation for the damages caused to the residential dwelling of the Petitioner;*

- iv. *Pass any other appropriate order / direction that this Hon'ble Court deems fit and just in the interest of justice;*
- v. *Award cost of the Petition to the Petitioner;*

AND

Pending disposal of the matter your Lordships may be pleased to grant ex-parte stay and interim relief by withholding / restraining further construction of the said building in dispute.

[3] The brief facts of the case is that the house of the petitioner was damaged caused by the house of the respondent no. 5 in the Earthquake.

[4] In pursuance of the direction by the Hon'ble Supreme Court, the matter was referred to the mediation on 15.07.2025. The parties admittedly settled their case that respondent no. 5 will pay a sum of Rs. 3,50,000/- (Rupees three lakhs fifty thousand) only as compensation for the damages of the property to the petitioner and in pursuance of that the petitioner be acknowledged the receipt of Rs. 3,50,000/- (Rupees three lakhs fifty thousand) only in the mediation proceedings and the same is reproduced herein below:

"MEDIATION CASE NO. 48 OF 2025"

<i>Case details</i>	:	<i>W.P. (C) No. 198 of 2017</i> <i>Col. K. Achouba Singh</i> <i>-Vs-</i> <i>State of Manipur & 4 Ors.</i>
<i>Referred by</i>	:	<i>Hon'ble High Court of Manipur.</i>
<i>Date of Notification</i>	:	<i>15th July, 2025.</i>
<i>Memo of Parties</i>	:	<i>Col. Kiyam Achouba Singh.</i> <i>... Petitioner</i> <i>-Vs-</i> <i>State of Manipur & 4 Ors.</i> <i>... Respondents</i>

Counsels:

<i>Advocate for Petitioner</i>	:	<i>Mrs. I. Bimola Devi, Advocate.</i>
<i>Advocate for Respondents</i>	:	<i>Mrs. L. Monomala, Dy. G.A.</i> <i>Mr. Augusta Usham, Advocate</i> <i>and Official Respondents are present.</i>
<i>Outcome to the Mediation</i>	:	<i>This Settlement Agreement is made on 16-07-2025 between Kiyam Sushila Devi W/o Col</i>

Kiyam Achouba Singh a resident of Lalambung Takhellambam Leikai represented by the Petitioner and Shri Oinam Dhananjoy Singh a resident of Lalambung Takhellambam Leikai as Respondent No. 5 damages caused by the earthquake on 04-01-2016 and 13-04-2016. Respondent No. 5 namely Shri Oinam Dhananjoy Singh agrees to pay to the Petitioner namely Kiyam (O) Sushila Devi W/o Col. Kiyam Achouba Singh a total amount of Rs. 3,50,000/- (Rupees Three Lakhs Fifty Thousand only) as compensation for damages to their property. Payment will be made on 20-08-2025."

[5] Mrs. I. Bimola, learned counsel for the petitioner submits that in terms of the mediation proceedings dated 15.07.2025 and mediation report dated 25.08.2025, the present writ petition may be closed.

[6] Mr. Th. Sukumar, learned GA submits that the matter may be closed in terms of the settlement arrived in the mediation proceedings.

[7] Accordingly, the present W.P. (C) No. 198 of 2017 is disposed of, in terms of the settlement arrived in the mediation dated 15.07.2025.

[8] Any pending application is also disposed of in terms of the settlement in mediation.

JUDGE

Thoiba