

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

**WP(C) No. 128 of 2025 with
MC(WP(C) No. 124 of 2025**

Hem Sagar Uprety

.....*Petitioner/s*

- Versus –

Union of India & 3 Ors.

.... *Respondent/s*

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

18.02.2025

[1] Heard Mr. N. Jotendro, learned senior counsel assisted by Mr. Syed Murtaza Ahmed, learned counsel for the petitioner, Mr. S. Kaminikumar, learned CGC on behalf of respondent Nos. 1, 3 & 4 and Mr. S. Niranjana, learned G.A. for respondent No. 2.

[2] The petitioner approached this Court inter-alia praying for reviewing of the list of affected land in Kangpokpi District (CALA) under National Highway Act, 1956 in respect of acquisition of land for the purpose of widening of National Highway No. 39 and also for adequate land compensation including solatium for resettlement/rehabilitation under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

[3] The petitioner is aggrieved by the lists of affected pattadars published by the Deputy Commissioner, Kangpokpi (CALA) wherein names of land owners have been listed. Out of these, the

petitioner is aggrieved by entry at serial Nos. 218 & 219 with respect to Survey No. 2163 wherein the name of one Sagar Upreddi has been shown as the owner of the land under acquisition.

[4] It is the case of the petitioner that while preparing the lists of the affected land owners instead of the petitioner's name, Hem Sagar Uprety, at serial Nos. 218 & 219 with respect to Survey No. 2163, the name of Sagar Upreddi is recorded. In this respect, the petitioner submitted a representation dated 10.02.2025 for substituting the name of Sagar Upreddi by Hem Sagar Uprety and in the representation, it is stated that the Deputy Commissioner, Kangpokpi has wrongly recorded the type of land and also prays for adequate compensation under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. It is stated that the writ petition may be disposed of by directing the Deputy Commissioner, Kangpokpi to dispose of the representation dated 10.02.2025. It is also stated that the petitioner has submitted similar representations dated 14.04.2024 & 03.02.2025.

[5] Mr. S. Nirajan, learned G.A., submits that only one part of the representation requires verification of the entry of the name with respect to Survey No. 2163 reflected as serial Nos. 218 & 219 and the claim of enhance compensation under Act of 2013 is not maintainable before this Court.

[6] Mr. S. Kaminikumar, learned CGC on behalf of respondent Nos. 1, 3 & 4, submits that the lists of affected land owners are prepared by the Deputy Commissioner, Kangpokpi/respondent No. 2 and the Central Government has no role in this regard.

[7] It is also stated that the land under acquisition is government land and never belongs to the petitioner. However, any verification has to be done by Deputy Commissioner, Kangpokpi/respondent No. 2.

[8] Mr. N. Jotendro, learned senior counsel for the petitioner, submits that as suggested by the learned G.A., the writ petition may be disposed of by directing the Deputy Commissioner, Kangpokpi to verify entry of serial Nos. 218 & 219 with respect to Survey No. 2163.

[9] Recording the submissions made at the bar, writ petition is disposed of by directing the Deputy Commissioner, Kangpokpi/respondent No. 2 to decide the pending representations submitted by the petitioner with respect to identity of the entry numbers [Survey No. 2163] as well as nature of the land under acquisition with respect to the petitioner by a speaking order as per rule within a period of one month from the date of receipt of a copy of this order.

[10] It is made clear that this Court does not express any opinion on the merit of the case.

[11] With this observation, writ petition is disposed of. Misc. application is also disposed of in terms of the above order.

JUDGE

Kh. Joshua Maring

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