

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

WP(C) No. 169 of 2025

Ningthoujam Biramangol Singh & 4 Ors.

...Petitioners

- Versus -

State of Manipur & 2 Ors.

...Respondents

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

ORDER

28-02-2025

[1] Heard Mr. K. Modhusudon, learned counsel for the petitioners and Mr. Th. Sukumar, learned Government Advocate for respondent Nos. 1 & 2.

[2] Mr. K. Modhusudon, learned counsel for the petitioners, submits that the petitioners were investors in M/S SMART Society of SALAI Holdings Private Limited. Since their due payments have not been made, the petitioners approached the Competent Authority (Imphal East and Imphal West)/Commissioner (Art & Culture), Government of Manipur, under the Banning of Unregulated Deposits Schemes Act, 2019, with applications for making provisional attachment absolute.

[3] Mr. K. Modhusudon, learned counsel for the petitioners, submits that a letter dated 02-05-2023 was written by the Commissioner (Art & Culture) cum Competent Authority, Government of Manipur addressed to the Addl. District & Sessions Judge (FTC), Designated Court (BUDS Act), Manipur for confirmation/making the provisional attachment absolute.

However, as the material submitted by the Competent Authority were not sufficient, vide order dated 05-09-2023, the Office of the Designated Court (BUDS) Act, Manipur observed that the letter dated 02-05-2023 submitted by the Competent Authority (Imphal East and Imphal West) could not be treated as an application under Section 15 of the BUDS Act and the Competent Authority was directed to submit a proper application.

[4] After this, the petitioners submitted representations dated 18-09-2024 and another representations dated 04-10-2024 to the Competent Authority/ Commissioner (Art & Culture), Government of Manipur to look into the matter for returning their deposited amount by making provisional attachment absolute and to sell the properties so attached by auction or sell and out of the said sell proceeds thereof make the payment of the amount due to the applicants.

[5] It is submitted that the representations are still pending before the Competent Authority. At this stage, Mr. K. Modhusudon, learned counsel for the petitioners, submits that the writ petition may be disposed of by directing the Competent Authority to dispose of the pending representations submitted by the petitioners by passing a speaking order and doing the needful as per law within a stipulated time.

[6] Mr. Th. Sukumar, learned Government Advocate for the State respondents, has no objection to the disposal of the representations by passing an innocuous order.

[7] Recording the submissions made at the Bar, the writ petition is disposed of by directing the Competent Authority (Imphal East & Imphal

West)/Commissioner (Art & Culture), Government of Manipur to dispose of the representations submitted by the petitioners by a speaking order as per law within a period of two months from the date of receipt of a copy of this order.

[8] The writ petition is disposed of.

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

[10] Furnish a copy of this order to the learned counsel appearing for the parties.

JUDGE

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