

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

W.A. No. 27 of 2025

State of Manipur; & Ors.

Appellants

Vs.

Khumukcham Sylvester

Respondent

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. KEMPAIAH SOMASHEKAR
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

(ORDER)

(K. SOMASHEKAR, C.J.)

29.07.2025

Learned Government for the appellants, Mr. S. Nepolean is present before the Court physically and learned senior counsel for the respondent, Dr. RK Deepak is also present before the Court physically.

This writ appeal has been preferred by the appellants/State of Manipur and four others seeking to set aside the order dated 16.07.2019 rendered by the learned Single Judge on the writ side in W.P. (C) No. 705 of 2018 (Annexure-X/1).

Learned senior counsel for the respondent in this matter, submitted the order rendered by the Hon'ble Supreme Court of India in Civil Appeal No. 204 of 2024 in SLP (C) No. 10941/2022. Wherein in para No. 3, the Hon'ble Supreme Court of India made an observation as thus :

"In such view of the matter, the appeal stands allowed by setting aside the impugned order. However, insofar as the delay at the instance of the appellants, they will have to pay a sum of Rs. 25,000/- to the

respondent payable within a period of four weeks from the date of this order, failing which the matter shall stand dismissed automatically."

Whereas learned Government Advocate for the appellants, facilitated letter dated 06.03.2024 sent by the respondent (Khumukcham Sylvester) which is addressed to the Managing Director, Manipur State Power Distribution Company Ltd. (MSPDCL). Wherein the learned Government Advocate for the appellants, specifically referred to para No. 3, which reads as thus:

"3. That, accordingly the MSPDCL accorded sanction for payment of Rs. 25,000/- (Rupees twenty five thousand) only to the undersigned vide Orders No. 1/1/EDM-Sylvester/F&A/2021-2022/MSPDCL/7572-77 dated 05.02.2024 and the Managing Director, MSPDCL, issued a letter to the undersigned on 05.02.2024, requesting him to collect the cheque of Rs. 25,000/- (Rupees twenty five thousand) only at the earliest.

Learned Government Advocate for the appellants, by referring to the aforesaid letter dated 06.03.2024, emphatically submitted that in pursuance of the order rendered by the Hon'ble Supreme Court of India in Civil Appeal No. 204 of 2024 in SLP (C) No. 10941/2022, the order has been complied within the period of four weeks. This submission which is made by the learned Government Advocate for the appellants is taken on record.

On the contrary, learned senior counsel for the respondent, Dr. RK Deepak refers to para No. 4 of the same letter dated 06.03.2024, wherein it has been mentioned that the aforesaid letter purported to be issued by the Managing Director, MSPDCL, on 05.02.2024 was in fact booked by the speed post on 08.02.2024 and received by the father of the undersigned on 10.02.2024.

Testimony to these facts are evidenced by the cover envelop of the letter, the screen shot of the tracking record and the tracking record of the consignment issued by the India Post.

However, keeping in view the contents made in the aforesaid letter dated 06.03.2024 and so also and so also the order rendered by the Hon'ble Supreme Court of India in the aforesaid Civil Appeal No. 204 of 2024 in SLP No. 10941 of 2022 are concerned, it is deemed appropriate that this writ appeal does not survive for consideration.

Consequently, this writ appeal is hereby disposed of.

In the meanwhile for disposal of this appeal, as keeping in view the submission made by learned Government for the appellants, S. Nepolean and so also learned senior counsel for the respondent, Dr. RK Deepak, the Registry has not listed this case as in pursuance of the order rendered by the Hon'ble Supreme Court of India.

Therefore, the concerned administrative branch who dealt the matter is hereby cautioned and hereafter should not maintain such kind of activity.

JUDGE

Sandeep

CHIEF JUSTICE