

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

WP(C) No. 322 of 2019

KL John Anal and 23 ors.

...Petitioner/s

Vrs.

State of Manipur & 5 ors.

...Respondent/s

-B E F O R E-

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

11.03.2025

Heard Mr. N. Ibotombi, learned senior counsel appearing for the petitioners; Mr. Shyam Sharma, learned GA appearing for the respondent Nos. 1 & 2; Mr. W. Darakishwor, learned senior panel counsel appearing for respondent Nos. 3, 4 & 5 and Mr. Khalter Khampa, learned counsel appearing for respondent Nos. 6(a) and 6(b).

[2] The present application has been filed with the prayer for directing the Collector (LA), Chandel to pay to the petitioners the compensation amount of **Rs. 2,30,49,731.25p** (Rupees two crores thirty lakhs forty nine thousand seven hundred and thirty one and twenty five paise) in terms of the judgment and order dated **19-10-2016** passed by the Reference Court in O.S.(L.A) No. 1 of 2009/2/2013 couple with a prayer for directing payment of mandatory

interest under Section 34 of the Land Acquisition Act, 1894 with 12% interest per annum in terms of Section 23(1-A) of the said Act.

[3] It has been submitted at the bar by the learned counsel appearing for the parties that the said judgment and order dated 19-10-2016 passed by the Reference Court in O.S.(L.A) No. 1 of 2009/2/2013 was challenged by the Union of India as well as by the present petitioners by filing two separate writ appeals viz. LA Appeal No. 1 of 2007 filed by the Union of India and LA Appeal No. 2 of 2017 filed by the present petitioners. The appeal filed by the Union of India was dismissed by an order dated 23-08-2018, however, the appeal filed by the present petitioners was partly allowed by an order dated 23-08-2018 by directing the Acquisition Authorities to determine the rate of interest in accordance with section 28 and relevant proviso to that section of the Land Acquisition Act, 1894.

[4] It has further been submitted at the bar that consequent to the said order passed in the Land Acquisition appeal, the authority of the Land Acquisition has calculated the due amount payable as compensation to the affected parties and the acquiring authority has already deposited the amount in two phases and the same had been

distributed to the claimants. Mr. W. Daradishwor, learned senior panel counsel submitted that the balance amount of **Rs. 1,26,71,057/- (Rupees one crore twenty six lakhs seventy one thousand and fifty seven)** has been deposited as the 3rd phase and the said amount has been deposited to the Registrar General of this High Court and the said amount is still lying in the custody of the Registrar General as on today.

[5] Mr. N. Ibotombi, learned senior counsel appearing for the petitioners submitted that the present writ petition may be disposed of by directing the Registrar General of this High Court to deposit the aforesaid amount to the Collector (Chandel), who is the acquiring authority for disbursement of the said amount to the claimants who are entitled to get such compensation strictly in accordance with law.

[6] Mr. W. Darakishwor, learned senior counsel appearing for the respondents submitted that because of the pendency of this writ petition, the authorities are unable to demarcate the affected land and to go for mutation of the land and that early disposal of the present petition in terms of the submission made by the learned senior counsel

is very much required so as to enable the authorities to take possession of the acquired land.

[7] On the other hand, Mr. Khalter Khampa, learned counsel representing the private respondent No. 6(a) and 6(b) submitted that the said respondents may be given liberty to raise objection before the Collector (Chandel) at the time of disbursement of the compensation amount.

[8] Taking into consideration the submission advanced by the learned counsel appearing for the parties and on perusal of the record, this Court is of the considered view that it will be in the interest of justice to issue the following directions :-

- (i) The Registrar General of this High Court is hereby directed to release the aforesaid amount of **Rs. 1,26,71,057/- (Rupees one crore twenty six lakhs seventy one thousand and fifty seven)** along with interest, if any, to the custody of the Collector (Chandel) within a period of 1(one) month from today;
- (ii) On receipt of the said amount, the Collector (Chandel) is hereby directed to disburse the said amount to the claimants/beneficiaries who are entitled to get the said amount strictly in terms of the applicable law;

(iii) The Collector (Chandel) is further directed to assist the acquiring authority to take possession of the acquired land at the earliest.

(iv) Needless to mention here that the private respondents or any other persons may raise any objection with regard to the disbursement of the compensation amount before the Collector (Chandel) strictly in terms of the applicable law.

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

JUDGE

Dhakshori