

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL
CRP(C.R.P. Art. 227) No. 21 of 2024**

Phuritsabam Shanti Singh

... Petitioner

- Versus -

Phuritsabam Tolpishak Singh & 6 Ors.

... Respondents

**B E F O R E
HON'BLE THE CHIEF JUSTICE MR. D. KRISHNAKUMAR**

O R D E R

17.04.2025

[1] Heard Mr. Kh. Shanta, learned counsel appearing for the petitioner and Mr. LN Ngamba, learned counsel appearing for the respondents.

[2] The present petition has been filed by the petitioner challenging the order dated 15.04.2024 passed in Revenue Misc. Case No. 263 of 2023 wherein, the petitioner filed an application under Section 5 of the Limitation Act, 1963 praying for condonation of delay of 36 years, 7 months and 17 days in filing the Revenue revision Petition against the order dated 20.04.1987 passed in Mutation Case No. 426/SDC/IW(C)/1987 passed by the Ld. SDC, Imphal West, Central, Manipur. The said application was rejected by the Presiding Officer, Revenue Tribunal, Manipur and challenging the same, the present petition has been filed before this Court.

[3] The learned counsel appearing for the petitioner contented that though it has been clearly raised ground in the revenue record that the petitioner had a knowledge only from the date of mutation and therefore, came to know on the land record in the name of Shri Ph. Tolpishak Singh and therefore, only from the date of knowledge, appeal has been filed before the Ld. Tribunal. This aspect has not been considered by the Ld. Tribunal.

[4] The learned counsel appearing for the respondent submits that the petitioner has already filed a suit being O.S. No. 40 of 2024 and the same has been pending as against the same respondent before the Ld. Civil Judge (Jr. Divn.), Imphal West - I, Manipur. In such circumstances, the learned counsel appearing for the respondent seeks for dismissal of the civil revision petition.

[5] The learned counsel appearing for the petitioner raised the ground that challenging the order passed before the Ld. Tribunal by way of appeal along with condon delay application as against the order passed in the Mutation Case which has been passed in the year 1987 and the according to the petitioner, he was not aware of the order passed in the year 1987 which he came to know that the aforesaid order has been mutated in the revenue record at the time of digitization of the record and therefore, the order of the Ld. Tribunal is incorrect.

[6] Considering the facts and circumstances of the case, the petitioner also admitted that the O.S. No. 40 of 2024 is pending before the Ld. Civil Judge (Jr. Divn.), Imphal West - I, Manipur, the petitioner can very well seek remedy before the Civil Court. The learned counsel for the respondent has also no objection stating that the petitioner can agitate the remedy before the Civil Court.

[7] In such consensus, this Court is not inclined to interfere with the order and therefore, dismiss the civil revision petition. However, the Civil Court is to consider independently without any observation made in the order passed by the Ld. Tribunal.

[8] With the above observation, the present petition stands dismissed.

CHIEF JUSTICE

Bipin