

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

CRP (C.R.P. Art. 227) No. 26 of 2024

With

MC [CRP (C.R.P. Art. 227)] No. 48 of 2024

Haobam Iboyaima Singh; & Anr.

Petitioners

Vs.

Kongbrailatpam Apambi Devi; & Ors.

Respondents

BEFORE

HON'BLE THE CHIEF JUSTICE MR. D. KRISHNAKUMAR

ORDER

28.03.2025

Mr. Th. Babloo, learned counsel, appears for the petitioners and Mr. S. Inaocha, learned counsel, appears for respondent Nos. 1,4,5 & 6.

By consent of learned counsel for the parties, the matter has taken up for final disposal. The present civil revision petition has been filed challenging the order dated 30.11.2022 passed by the Presiding Officer, Revenue Tribunal, Manipur. By the said order, the Revenue Tribunal has set aside the order dated 03.10.2001 passed in Mutation Case No. 372/SDC/IW-L/2001 passed by the SDC, Imphal West, Lamsang, on the ground that the impugned mutation order was passed without giving notice to the interested persons, and directed the SDC, Imphal West, Lamsang, to conduct the mutation afresh by issuing notice to all the interested persons.

According to the petitioners, notice was published in the newspaper and therefore they have complied the mode of service to the interested parties concerned and hence there is no warrant of interference to the impugned mutation order and the order of the Revenue Tribunal is liable to be set aside .

Learned counsel for the respondents would submit that Tribunal has come to the conclusion that opportunity is not granted to the interested parties by servicing notice. If notice was returned unserved, then they may take alternative

mode of service by publishing in the newspaper, but effecting aforesaid mode of service was not done, therefore the Tribunal has rightly rejected the impugned mutation order

In these circumstances, learned counsel for the petitioners also fairly states that they will take necessary steps to serve notice to the interested parties as observed by the Presiding Officer, Revenue Tribunal, Manipur in the mutation Case No. 372/SDC/IW-L/2001, and appropriate direction may be issued by this court to dispose of the of the aforesaid mutation case.

In the light of the submission made by the counsel for petitioners, this court is inclined to not interfere the impugned order passed by the Presiding Officer, Revenue Tribunal, Manipur; however, it is made clear that the petitioners are permitted to serve notice to the interested parties within a period of 4 weeks' time from the date of receipt of a copy of this order and after service of notice to the interested parties and subject to filing of proof of such service, the Revenue Tribunal shall give opportunity to the interested parties for filing objection to the mutation case and thereafter the aforesaid said mutation case can be taken up for adjudication and the same may be disposed of as early as possible, in accordance with law, preferably within a period of 6 months from the date of receipt of a copy of this order.

It is also made clear that the SDC, Imphal West, Lamsang, shall proceed the aforesaid mutation case afresh as observed by the Revenue Tribunal, Manipur.

With the above observation, the present civil revision petition as well as the miscellaneous application stand disposed of.

CHIEF JUSTICE

Sandeep