

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

**WP(C) No. 555 of 2025 with
MC(WP(C) No. 533 of 2025**

Womens Voluntary Organisation (WVO)

.....*Petitioner/s*

- Versus –

North Eastern Development Finance Corporation Ltd. (NEDFI)

.... *Respondent/s*

BEFORE

HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

31.07.2025

[1] Heard Mr. O. Kiranjit, learned counsel for the petitioner and Mr. K. Pradeep, learned counsel for the respondent.

[2] Caveat being No. 96 of 2025 filed by the respondent is discharged.

[3] By the present petition, the petitioner, which is a registered Non-Governmental Organisation functioning as a Microfinance Institution (NGO-MFI), approached this Court for restraining the respondent from eviction or attachment of the petitioner's land measuring 0.0486 hectare (5231 sq. ft.) bearing C.S. Dag No. 1182, Patta No. 59/354 (Old)/576 (New) of Revenue Village No. 59, Oinam Thingel, Imphal West District, without issuing a period written notice and affording the petitioner a reasonable opportunity of hearing and to direct the respondent to provide the petitioner with a minimum notice period of one month or such reasonable time before eviction or dispossession measures in order to ensure compliance with natural justice and humane relocation.

[4] It is stated that the petitioner took certain loan from the respondent and some of the loans could not be cleared in due time. Accordingly, the petitioner has initiated proceedings under the Recovery of Debts and Bankruptcy Act, 1993.

[5] It is stated that the Debt Recovery Tribunal, Gauhati has passed an order dated 29.06.2022 in RC No. 288 of 2021 in O.A. No. 10 of 2021 thereby directing for attachment of the said property of the petitioner and it is also prayed that the order dated 29.06.2022 passed by the DRT, Gauhati be stayed during the pendency of the present petition.

[6] Mr. K. Pradeep, learned counsel for the respondent, raises the question of maintainability of the present petition. He draws the attention of this Court to the provision of Section 20 of the Recovery of Debts and Bankruptcy Act, 1993 where in the order passed by the Tribunal is appealable to the Appellate Tribunal within a period of 30 days from the date of receipt of a copy of said order.

[7] Learned counsel for the respondent has pointed out that since the statutory appellate provision is available to the petitioner, they should exercise this option first.

[8] It is also stated that the possession of the property has been taken over by the respondent on 29.07.2025. Hence, the subject matter of the writ petition also does not survive apart from the question of maintainability.

[9] At this stage, Mr. O. Kiranjit, learned counsel for the petitioner, submits that the DRT never furnished a copy of the order dated 29.06.2022 and the eviction notice was suddenly issued and also submits that one month time may be granted to the petitioner to shift materials and other belongings.

[10] Learned counsel for the respondent has denied the allegations that order dated 29.06.2022 was not furnished to the petitioner in the proceeding before the DRT. The petitioner contested the matter before DRT.

[11] In the circumstances, writ petition is disposed of as not maintainable in the present form. However, the petitioner may submit a representation to the respondent for their grievances, if any.

[12] With this observation, writ petition is disposed of. Misc. application is also disposed of.

JUDGE