

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

**WP(C) No. 637 of 2025 with
MC(WP(C) No. 595 of 2025**

Smt. Khagokpam Ongbi Binakumari Devi

.....Petitioner/s

- Versus -

State of Manipur & 2 Ors.

.... Respondent/s

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

20.08.2025

[1] Heard Mr. N. Kumarjit, learned senior counsel assisted by Mr. N. Zequeson, learned counsel for the petitioner and Mr. H. Debendra, learned Dy. A.G. assisted by Mr. A. Bheigya, learned Jr. G.A. for State respondent Nos. 1 & 2.

[2] Mr. N. Kumarjit, learned senior counsel for the petitioner, submits that the petitioner is the owner of the land under Dag No. 1835/2636 having an area of 0.01830 (0.00741) acre situated at Village No. 11-Laipham Siphai, Imphal East, Porompat.

[3] A civil suit is filed by some of the societies for declaration of the said suit land. However, Ld. Civil Court has dismissed the suit and the matter was also upheld by the Ld. District Judge in appeal. However, in second appeal vide judgment dated 11.10.2019 passed in RSA No. 1 of 2014, the matter was remanded to the Ld. District Judge for fresh adjudication.

[4] During the pendency of the appeal, respondent No. 3 herein filed an eviction case being No. 2 of 2021 in the Court of Deputy Commissioner, Imphal East for eviction of the petitioner herein from the suit land and the petitioner herein filed written statement raising

objection to the maintainability of the eviction petition, as the matter is pending before the District Court.

[5] It is also stated that the petitioner and respondent herein are party in the civil case pending before the Ld. District Judge, Imphal East. The petitioner filed objection before the Deputy Commissioner, Imphal East in the eviction case which is still pending.

[6] However, the petitioner has apprehension that she may be evicted at any time in pursuance to the eviction case being No. 2 of 2021 when the matter is pending before the Ld. District Judge, Imphal East in first appeal.

[7] It is prayed that the eviction proceeding i.e. eviction case No. 2 of 2021 pending before the Deputy Commissioner, Imphal East be quashed or in alternative, in the eviction proceeding before passing the final order, the objection raised by the petitioner may be considered.

[8] Mr. H. Debendra, learned Dy. A.G., submits that the petitioner ought to have approach the Court of Ld. District Judge, Imphal East where the first appeal is pending between the parties and the writ petition may be disposed of as premature.

[9] This Court has considered the materials on record and the submissions made at the bar.

[10] Writ petition is disposed of at this stage by giving a direction to the Deputy Commissioner, Imphal East to consider the objection filed by the petitioner herein in the eviction case before passing the final order.

[11] With this observation, writ petition is disposed of. Misc. application is closed.

[12] It is made clear that this Court does not express any opinion on the merit of the case.

JUDGE

Kh. Joshua Maring

**KH.
JOSHUA
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