

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

**WP(C) No. 771 of 2025 with
MC(WP(C) No. 715 of 2025**

Laishram Sushilchandra & 22 Ors.

.....*Petitioner/s*

- Versus -

State of Manipur & 2 Ors.

.... *Respondent/s*

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

25.09.2025

[1] Heard Mr. N. Umakanta, learned senior counsel assisted by Mr. E. Lalleiba, learned counsel for the petitioners and Mr. H. Debendra, learned Dy. A.G. assisted by Mr. A. Bheigya, learned Jr. G.A. for the State respondent.

[2] The petitioners are the pattadars of lands along Masjid Road area of Paona Bazar, Imphal West and along with writ petition, they have enclosed Jamabandi and other land records to show that they are the owners in possession of this property.

[3] Vide various notices all dated 27.08.2025, the Sub-Divisional Officer, Lamphel, Imphal West directed the land owners for removing encroachment upon the Government various Dag numbers mentioned in the notice. After this, petitioners have submitted their objection to the show cause notice by Annexure – A/6 series and some of the petitioners filed appeal before the Secretary, Land Resources, Government of Manipur against the show cause notice dated 27.08.2025.

[4] However, without considering the matter, the SDO, Lamphel, Imphal West issued impugned eviction order dated

16.09.2025 directing the petitioners and others whose names are annexed with the order to self removal of the encroached area upon Government Dag land including aerial extension or expansion on 20.09.2025, failing which the Government will compel for removal from 26.09.2025. Against this also, another appeal has been preferred before the Secretary, Land Resources, Government of Manipur and both the appeals are pending.

[5] Since no order has been passed in the appeal, the petitioners are constrained to approach this Court for protection on the ground that the identification of the encroached portion by the petitioners upon the Government Dag land is without giving opportunity of being heard to them. If the eviction and removal of the structure upon the alleged encroached area is to be done, the same may be done after due verification and by participation of the petitioners in the eviction proceeding.

[6] Mr. H. Debendra, learned Dy. A.G., submits that in the impugned notice and eviction order, the Government contemplates eviction of encroachers upon the Government land or surface or aerial and the notice and eviction order do not contemplate eviction of anyone from their patta land.

[7] In the circumstances, the apprehension of the petitioners for eviction from their patta land is not founded and writ petition is not maintainable.

[8] This Court has perused the materials on record and the submissions made at the bar.

[9] This Court is of the opinion that writ petition may be disposed of at this stage by directing the respondents to verify the encroached portion by the petitioners by proper verification and by giving opportunity of being heard to the petitioners.

[10] Accordingly, any eviction in terms of the impugned order dated 16.09.2025 be carried out only after ascertaining and proper verification of the encroached area and by giving opportunity of being heard to the petitioner to put up their case.

[11] It is made clear that the possession of the petitioners within their patta land is protected.

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

[13] Furnish a copy of this order to the learned counsel for the parties in the course of the day.

JUDGE

Kh. Joshua Maring

KH.
JOSHUA
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by KH. JOSHUA
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