

Supplementary-3, Sl. Nos. 1-2

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

CRP(CRP Art. 227) No. 46 of 2025

Laisram Sanatomba Meitei, aged about 65 years, son of late Laisram Manaobi, residing in the Friends Talkies building, Paona Bazar, PO : Imphal, PS: City PS an District: Imphal West, Manipur.

Petitioner

Vs.

1. Sub-Deputy Collector, Imphal West (Central), Lamphelpat, Imphal West District, Government of Manipur.
2. The State of Manipur, represented by Commissioner, Revenue, Government of Manipur, Babupara, Imphal West, Manipur.

Respondents

***Clubbed with MC(CRP(CRP Art. 227)) No. 82 of 2025
(For stay/Suspend of Eviction)***

BEFORE
HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR

ORDER

25.09.2025

[1] Read this in conjunction with and in continuation of a separate order made in MC(CRP(CRP Art. 227)) No. 81 of 2025 today which is as follows :

"25.09.2025

[1] Mr. Th. Modhu, learned senior counsel assisted by Mr. Henba Thokchom, learned counsel, appears for the petitioner.

[2] *Issue notice.*

[3] *Mr. H. Dimal Kumar, learned counsel assisting Mr. H. Devendra, learned Deputy AG, accepts notice on behalf of the respondents.*

[4] *Considering the innocuous prayer MC is not opposed, MC allowed/ordered as prayed for.”*

[2] Mr. Th. Modhu, learned senior counsel assisted by Mr. Henba Thokchom, learned counsel, appears for the petitioner.

[2] Issue notice.

[3] Mr. H. Dimal Kumar, learned counsel assisting Mr. H. Devendra, learned Deputy AG, accepts notice on behalf of the respondents.

[4] This Court, with the consent of learned counsel on record and senior counsel on both sides, took up the main CRP considering limited scope of the captioned matter.

[5] Captioned CRP which has been presented in this Court arises under ‘the Manipur Public Premises (Eviction of Unauthorized Occupants) Act, 1978’, which shall hereinafter be referred to as ‘said Act’ for the sake of convenience and clarity.

[6] Short point is, revision petitioner suffered an order dated 16.09.2025 in Eviction Case No. 18 of 2025 and this 16.09.2025 order

made by Sub-Divisional Officer, Lamphel, Imphal West ('original authority' for convenience) is an appealable order.

[7] This Court is informed that afore referred order of original authority was served on the review petitioner on 20.09.2025 and the revision petitioner before this Court has preferred a statutory appeal dated 23.09.2025 within the prescribed time. To be noted, statutory appeal is under Section 6 of said Act and statutory appeal has been filed together with a prayer for interim stay for which there is provision in Section 6 itself.

[8] The afore referred statutory appeal could not be taken up as second respondent/appellate authority is unavailable. It is in these circumstances that revision petitioner has come to this Court as in the order of original authority, 26.09.2025 11 a.m. has been fixed as the date and time for execution of the order if there is no self-eviction.

[9] It is submitted by learned State counsel that R2 Appellate authority is now available and he will take up the statutory appeal/stay petition in the ensuing week.

[10] In the light of the narrative thus far, it is clear that the second respondent/appellate authority has to necessarily take up the stay petition in the afore referred statutory appeal and obviously the main appeal too and decide the same one way or the other.

[11] Captioned CRP is disposed of by making the following order :

- i) Second respondent/appellate authority (appellate authority *qua* Section 6 of said Act) shall take up the stay petition of the revision petitioner filed along with statutory appeal dated 23.09.2025 as expeditiously as the official business of second respondent would permit and decide the stay petition on its own merits and in accordance with law;
- ii) There shall be no coercive action *qua* revision petitioner pursuant to order of original authority dated 16.09.2025 until second respondent/appellate authority decides the stay petition on its own merits and in accordance with law. To put it differently, coercive action, if any and that be so, will be subject to and depending on the orders to be made by second respondent/appellate authority in the stay petition;
- iii) Though obvious, it is made clear that this Court has not expressed any view or opinion on merits of the matter and therefore, second respondent/appellate

authority shall consider both the appeal and the stay petition on its own merits and in accordance with law untrammelled by instant order;

- iv) If the order of the appellate authority in the stay petition is adverse to the revision petitioner, the same shall be kept in abeyance for 10 (ten) days from the date of service of same on revision petitioner so as to enable the revision petitioner to seek judicial review, as may be, available in law.

[12] Captioned CRP disposed of in the aforesaid manner. There shall be no order as to cost. Consequently, the connected MC(CRP(CRP Art. 227)) No. 82 of 2025 is disposed of as closed.

CHIEF JUSTICE

Sushil

PS I : Upload forthwith

PS II : all concerned will stand bound by this order on being uploaded in official website of this court.