

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

WP(C) No. 784 of 2025

Nongmeikappam(N) Moirangthem(O) Shantibala Devi & anr.

...Petitioner/s

Vrs.

State of Manipur & 6 Ors

...Respondent/s

**- B E F O R E -
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

01.10.2025

Heard Mrs. G. Pushpa, learned counsel appearing for the petitioners and Mr. H. Debendra, learned Dy. AG assisted by Ms. Sharmila, learned counsel appearing for respondent Nos. 1 to 5 and Mr. Y. Nikhil, learned counsel assisting Mr. Y. Nirmolchand, learned senior counsel appearing for respondent Nos. 6 & 7.

[2] At the outset, the learned Dy. AG submitted that the impugned orders dated 23-09-2025 passed by the Sub-Divisional Officer, Lamphel, Imphal West in **Eviction Case No. 20 of 2025** and **Eviction Case No. 21 of 2025** have been passed in exercise of the powers conferred under Section 3 and of Manipur Public Premises Eviction of Unauthorized Occupants) Act, 1978. The learned Dy. AG

submitted that under section 6 of the said act, a provision is there for filing statutory appeal against the said impugned order and without resorting to filing such statutory appeal, approaching this Court directly by filing this writ petition is not maintainable.

[3] Mrs. G. Pushpa, learned counsel appearing for the petitioners submitted that the petitioners may be allowed to withdraw this writ petition with the liberty to file appropriate appeal before the competent authority as provided under the law. The learned counsel, further submitted that the impugned order has been passed without giving any opportunity of being heard to the petitioners and in complete violation of the provision of the said act and that in an earlier writ petition filed by the present petitioners along with others being WP(C) No. 595 of 2025, an interim order has been passed by this court on 07-08-2025 directing that there shall be no demolition and eviction within the patta land of the petitioners and they shall not be evicted without due process and their possession are protected within their patta land and the said interim order is still in force. The learned counsel further submitted that 10(ten) days time be given to the petitioners for filing statutory appeal and till the filing of the said

appeal within the stipulated period, the interest of the petitioners be protected by restraining the respondents from evicting the petitioners from their patta land pursuant to the impugned orders dated 23-09-2025.

[4] Considering the submission advanced by the learned counsel appearing for the parties, this Court is of the considered view that it will be in the interest of justice to issue the following directions:-

- (i) The petitioners are allowed to withdraw the present writ petition with liberty to file an appeal as provided under the law to the competent authority against the impugned order dated 23-09-2025 passed in Eviction Case No. 20 of 2025 and Eviction Case No. 21 of 2025 within a period of 10(ten) days from today.
- (ii) It is made clear that till the filing of the appeal, the respondents shall not proceed with the eviction process pursuant to the said impugned order dated 23-09-2025 in respect of the present petitioners.
- (iii) In the event of filing such an appeal, the appellate authority is directed to consider any prayer or passing

interim order on the basis of the merit of the case and without having influenced by the order passed by this court today.

With the aforesaid directions, the present writ petition is disposed of.

JUDGE

Dhakeshori