

Suppl.-1, Sl. Nos. 2-3**IN THE HIGH COURT OF MANIPUR
AT IMPHAL****PIL No. 26 of 2025**

Augustine Kashung

Petitioner**Vs.**

Union of India and 7 others

Respondents***Clubbed with MC(PIL) No. 34 of 2025***

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH****ORDER****(Order of the Court was made by M. Sundar, CJ)****17.10.2025**

[1] Captioned writ petition has been filed styling the same as Public Interest Litigation ('PIL' for the sake of brevity, convenience and clarity).

[2] Crux and gravamen of the captioned matter as can be culled out from the prayer is constituted by 2 (two) Show Cause Notices dated 25.08.2025 and 30.08.2025 which according to the PIL petitioner has been issued to 2 (two) villagers of Saram Tangkhul Village in Thoubal District, State of Manipur.

[3] Mr. Tungrei Ngakang, learned counsel for PIL petitioner is before this Court.

[4] This Court wanted to see the afore-referred 2 (two) Show Cause Notices ('SCNs' for the sake of brevity) mentioned in the prayer. Learned counsel drew our attention to Annexure-A/4 which consists of 2 (two) SCNs but the two SCNs but as regards these 2 SCNs, one is dated 07.09.2018 and the other is dated 21.06.2022. This means that while one SCN was issued more than 7 years ago, the other SCN was issued more than 3 years ago. The noticees in these two SCNs are Shri Ngatangmi Tangkhul (60 years), S/o Ako Tangkhul, Saram Village (G.R.F.) and Ningatei Awungshi (61 years), R/o Saram Village. To be noted, these two individuals i.e. noticees are not petitioners before this Court.

[5] Learned counsel drew our attention to paragraph 8 and submitted that there are about 30 (thirty) households in the afore-referred village and that Show Cause Notices have been issued to every household but the reference is only to Annexure-A/4 and prayer talks about SCNs dated 25.08.2025 and 30.08.2025 (as already alluded to supra).

[6] Be that as it may, learned counsel also placed before us an order dated 18.09.2024 made in PIL No. 11 of 2024 by another Division Bench of this Court where the stated position of the State that the Forest Right Act, 2006 is being implemented and will continue to be implemented has been recorded. This really does not help the case of the PIL petitioner for being protagonist of captioned PIL. Be that as it may, a careful perusal of the two SCNs of the year 2018 and 2022 bring to light that the same have been issued by the jurisdictional Divisional Forest Officer (Thoubal Forest

Division) alleging that the noticees thereat have encroached upon the reserved forest by putting up illegal structures and diverting forest area, violating the provisions of Indian Forest Act, 1927, Forest (Conservation) Act, 1980, Manipur Forest Rules, 1971 and orders of Hon'ble Supreme Court made in **Wildlife First & Ors. v. Ministry of Environment & Forest & Ors., (2021) 18 SCC 731.**

[7] This Court is of the considered view that captioned matter cannot be maintained as a PIL and the reasons are as follows :

- i) As already alluded to supra, two SCNs issued to two individuals constitute the crux and gravamen of the PIL. It is for the two individuals noticees to work out their remedies;
- ii) The averment that 30 (thirty) individuals have been issued similar Show Cause Notices really does not advance the case of the PIL petitioner (even if that be the case) for two reasons, (1) the SCNs are not before this Court and (2) even if that be the case it is for the individual noticees to respond to the SCNs;
- iii) The SCNs though described to be of the year 2025 (month of August) in the prayer, clearly are of the year 2018 and 2022 (Annexure A/4). Therefore, what

happened to the Show Cause Notices and what is the present stage is not clear;

iv) A PIL at this distant point of time does not pass muster in the Admission Board.

[8] In the light of the earlier PIL order of this Court, it is obvious that rights and contentions of all the noticees as available under the Forest Rights Act, 2006 will stand preserved for the noticees to respond to the Show Cause Notices or assail the same or proceed further.

[9] We make it clear that this Court not entertaining the captioned PIL will not impede the rights of the individual noticees if they choose to assail the notices (SCNs) or carry the matter further in accordance with law *inter-alia* by responding to the SCNs.

[10] Captioned PIL does not pass muster in the Admission Board. The sequitur is, captioned PIL is dismissed *albeit* with observations and preservation of rights of individuals in the aforesaid manner. Consequently, captioned MC thereat is also dismissed. There shall be no order as to costs.

JUDGE

Sushil

CHIEF JUSTICE