

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

WP(C) No. 853 of 2025

A.S. Ningatei alias Ningatei Awungshi.

...Petitioner

- Versus -

Union of India & 7 Ors.

...Respondents

**With
MC(WP(C)) No. 776 of 2025**

**B E F O R E
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

ORDER

29-10-2025

[1] Heard Mr. Tungrei Ngakang, learned counsel for the petitioner; Mr. H. Debendra, learned Dy. Advocate General assisted by Mr. A. Bheigya Meitei, learned junior Government counsel on behalf of State respondent Nos. 3, 4, 5, 6, 7 & 8; and Ms. Pamchui Shimray, learned counsel for the Union of India/respondent Nos. 1 & 2.

[2] This is the second writ petition filed by the petitioner herein having withdrawn earlier writ petition, WP(C) No. 755 of 2025 vide order dated 13-10-2025 with liberty to approach this Court, if so advised. In pursuant to the liberty granted by this Court, the petitioner has again approached this Court inter alia praying for :—

“In view of the above, it is therefore most humbly prayed that your good office may kindly be pleased to:

- i) direct the Respondents not to evict, remove, harass and /or interfere with the day-to-day farming/cultivation activities of Saram Tangkhul villagers in view of the Supreme Court order dated 28-*

02-2019 passed by three Judges bench to put on hold so far as eviction is concerned till all details, which are to be provided by the State Government in terms of category wise details are furnished in Affidavit by the Chief Secretaries.

- ii) stay the Show Cause Notice or Eviction Notice issued by the Division Forest Officer, Thoubal Forest Division 17.09.2018 and 21.06.2022.*
- iii) to direct the respondents to conduct verification and recognition of Forest Rights of the Saram Tangkhul villagers by strictly following in letter and spirit the Forest Right Act, 2006.*
- iv) to initiate prosecution against the responsible officers who have passed resolutions, sent show cause notice or gave instruction to demolish the Farm Houses and destroyed the Horticulture fruits tree and crops as the same concerns the very life and livelihood of Saram Tangkhul Villagers under Section 7 of the Forest Right Act, 2006.*
- v) to pass any other/further order/ writ/ directions, which the Hon'ble Court may deem fit and proper in the facts and circumstances of the case."*

[3] It is stated that the petitioner is the village chief of Saram Tangkhul Village in Thoubal District and the village is protected in terms of the Forest Right Act, 2006. By the present writ petition, the petitioner challenges the show cause notice or eviction notice dated 17-09-2018 and 21-06-2022 issued by the Division Forest Officer, Thoubal Forest Division only on the ground that the position of the village is protected by the Act of 2006. Learned counsel for the petitioner draws the attention of this Court to various orders passed by the Hon'ble Supreme Court in WP(C) No. 109 of 2008 titled "**Wildlife First & Ors versus Union of India & Ors**" whereby eviction of villagers within the reserved forest should not be done without proper

verification. It is submitted that the writ petition is still pending before the Hon'ble Supreme Court and as seen from the proceeding dated 13-02-2019, the State of Manipur is also a respondent before the Hon'ble Supreme Court.

[4] In view of the matter, this Court is of the opinion that it would not be proper for this Court to entertain this matter on merit. However, it is directed that eviction of the petitioner from the reserved forest shall not be done without proper verification. It is made clear that the petitioner shall not cause alteration in the present boundary and till the verification is done, no new construction within the reserved forest shall be done without obtaining permission from the authority.

[5] With this observation, the writ petition is disposed of.

[6] MC(WP(C)) No. 776 of 2025 is also closed.

JUDGE

Victoria

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