

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

**Cont.Cas(Cril.)No.1 of 2019**

Shri Elangbam Ibohal Singh, aged about 61 years, S/o late E. Iboyai Singh, a resident of Thoubal Haokha Mamang Leikai, PO & PS-Thoubal, Thoubal District, Manipur

***Petitioner***

***Vs.***

1. Shri Sanjay Mitra, IAS, the Defence Secretary, Ministry of Defence, Government of India, Central Secretariat, South Block, New Delhi-110001;
2. *Respondent No. 2 has been deleted vide Court's order dated 14.07.2025 passed in M.C.[(Cont.Case(Cril.))] No. 3 of 2019.*
3. *Respondent No. 3 has been deleted vide Court's order dated 02.05.2019 passed in M.C.[(Cont.Case(Cril.))] No. 2 of 2019.*
4. Dr. J. Suresh Babu, IAS, the State of Manipur represented by the Principal Secretary (Home), Government of Manipur -795001;
5. L.M. Khaute, IPS, the Director General of Police, Manipur, P.O. & P.S. Imphal – 795001;
6. S. Gautam Singh, IPS, the Superintendent of Police, Thoubal District, P.O. and P.S. – Thoubal, Manipur- 795138;
7. Shri Rajesh Kumar, IAS, Defence Secretary, Ministry of Defence, Government of India, Central Secretariat, South Block, New Delhi – 110001;
8. Col. Sandeep Mishra, the C/o Assam Rifles, C/o 99 APO, Mantripukhri, Manipur – 795002;
9. Dr. Rajesh Kumar, IAS, the State of Manipur represented by the Principal Secretary (Home), Government of Manipur – 795001.
10. Rajiv Singh, IPS, the Director General of Police, Manipur, P.O. & P.S. Imphal – 795001;

11. Shivanand Surve, IPS, the Superintendent of Police, Thoubal District, P.O. & P.S. Thoubal, Manipur – 795138

- *As per Court's order dated 14.07.2025 passed in Cont. Case (Cril) No. 1 of 2019 Respondent Nos. 7,8,9,10 & 11 has been impleaded.*

***Respondents***

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR  
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA  
(ORDER)**

***(Order of the Court was made by Mr. M. Sundar, CJ)***

**26.05.2026**

[1] This order will now give a closure to the captioned contempt case.

[2] In the hearing today, Mr. A. Golly, learned counsel on record for contempt case petitioner is before this Court (physical Court).

[3] As regards the respondents, Mr. S. Vijayananda Sharma, learned Senior Panel Counsel for Central Government (Sr.PCCG) for respondent Nos.1,7 & 8, Mr. L. Raju, learned counsel on record for respondent Nos. 4 & 9 and Mr. P. Tamphamani, learned counsel for respondent Nos. 5,6,10 & 11 are before this Court (physical Court).

[4] Captioned contempt case arises out of an order dated 11.01.2018 made by Division Bench of this Court in WP(Cril.) No.113 of 2009 *inter-alia* granting compensation to the writ petitioner for death of his son in a fake encounter. This '11.01.2018 order made by Division Bench' of this Court shall be referred to as 'said order' for the sake of convenience and clarity. Said

order was carried to Hon'ble Supreme Court by Union of India and the same was tagged with WP(Cril.) No.129 of 2012, WP(C) No.445 of 2012 and orders were made by Hon'ble Supreme Court on 08.12.2015 and 22.04.2016. It is not necessary to dilate more on the trajectory the matter has taken as there is consensus/consent amongst all the learned counsel before us regarding the quantum to be paid and what has happened with regard to the payment.

[5] Sum sequitur is, writ petitioner is entitled to a sum of Rs. 7.5 lakhs in all, and this Rs. 7.5 lakhs is to be shared in equal moieties by the Union of India and Government of Manipur i.e., Rs. 3.75 lakhs each. As regards State of Manipur, a sum of Rs. 5.5 lakhs has been paid directly to the writ petitioner vide cheque dated 26.11.2016 bearing No. 076019 drawn on State Bank of India, Thoubal Branch, Manipur and a scanned reproduction of this cheque is as follows:

भारतीय स्टेट बैंक (A/C PAYEE ONLY)  
State Bank Of India  
(04461) - THOUBAL BRANCH MANIPUR  
THOUBAL BRANCH MANIPUR P.O. & DISTT THOUBAL  
MANIPUR 795006  
IFS Code: SBIN004461

26/11/2016  
D D M M Y Y Y Y

PAY Flangbam Jbohah Singh  
रुपये RUPEES Five lakh fifty thousand only  
₹ 5,50,000/-  
अदा करें

31727844949  
VALID FOR Rs. 1,000,000 & UNDER  
Prefix : 1515000006

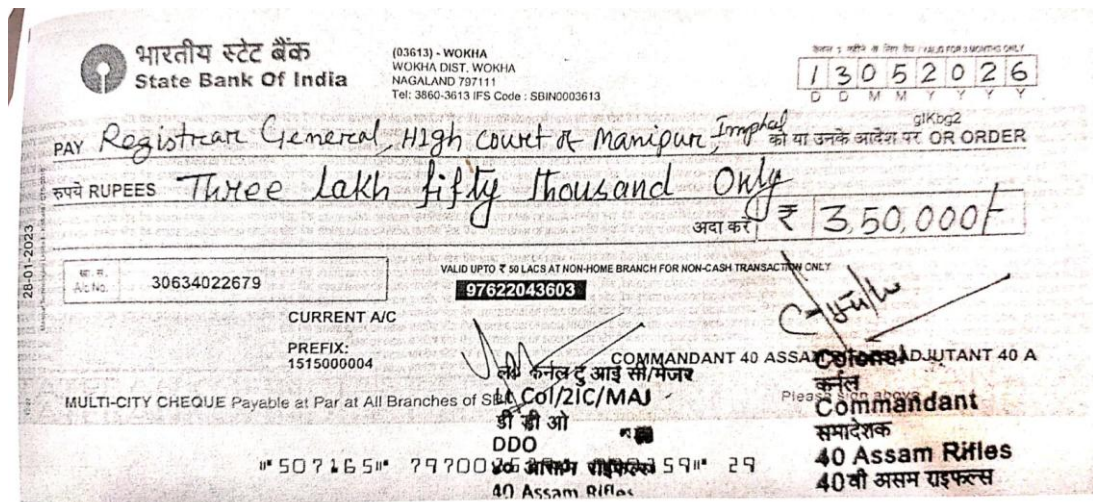
DEPUTY COMMISSIONER THOUBAL RELIEF  
Sub-Deputy Collector (HQ) Deputy Commissioner,  
Deputy Commissioner Office Thoubal,  
Thoubal.

MULTI-CITY CHEQUE Payable at Par at All Branches of SBI

\*076019\* 795002512: 005735 31

Learned counsel for writ petitioner confirms the receipt of the afore-referred cheque and encashment of the same by writ petitioner. To be

noted, this means that the State Government has paid a sum of Rs. 1.75 lakhs in excess as it is liable to pay only Rs. 3.75 lakhs towards its share. As regards the Union of India, a sum of Rs. 3.5 lakhs has been deposited in the Registry of this Court on 13.05.2026 to the credit of the captioned contempt case *vide* cheque dated 13.05.2026 bearing No. 507165 drawn on State Bank of India, Wokha branch, Nagaland and a scanned reproduction of this cheque is as follows:



This means that the Union of India has deposited Rs. 25,000/- (twenty five thousand) short of what it is liable to pay as the Union of India is liable to pay a sum of Rs. 3.75 lakhs.

[6] In the aforesaid scenario, it would be appropriate to give a closure to the captioned contempt case by recording due compliance. This Court is also acutely conscious of the obtaining position that further directions are usually not given in a contempt case. Nonetheless, considering the nature of the captioned matter, facts and circumstances of the case, the manner in

which the writ petitioner is circumstanced and the consensus/consent that has been arrived at amongst all the afore-referred counsel before this Court, we deem it appropriate to make a mild departure and give the following directions regarding payment out/withdrawal *qua* Rs. 3.5 lakhs lying to the credit of the captioned contempt case deposited by Union of India on 13.05.2026 and the directions are as follows:

(i) the contempt case petitioner fairly consents to withdraw only Rs. 2(two) lakhs and he will be entitled to withdraw Rs. 2(two) Lakhs from and out of Rs 3.5 lakhs lying to the credit of captioned contempt case;

(ii) Registry shall pay out Rs. 2(two) lakhs to the writ petitioner subject to writ petitioner following all standard operating procedures regarding withdrawal of amounts deposited in the Registry including identification of writ petitioner and after making standard deductions, if any;

(iii) as regards the balance Rs. 1.5 Lakhs, as State Government has paid in excess, State Government is entitled to withdrawal/payment out of Rs. 1.5 lakhs from and out of Rs. 3.5 lakhs lying in deposit. To be noted, in this regard, Mr. S. Vijayananda Sharma, learned Sr.PCCG for respondent No.1,7 & 8 and Mr. A. Golly, learned counsel for contempt case petitioner consented to this course. This consent is recorded;

(iv) Registry to pay out a sum of Rs. 1.5 lakhs to State Government i.e., appropriate competent authority with due written mandate after following standard operating procedures for withdrawal/payment out and after making standard deductions, if any.

**[7]** Before concluding, we deemed it appropriate to write that instant order will not serve as a precedent in all and every contempt case. The reason is, afore-referred directions have been given by making a mild departure *qua* contempt case orders on the basis of consensus/consent arrived at amongst all the afore-referred counsel before us besides taking into account the peculiar facts and circumstances of the case and the manner in which the writ petitioner is circumstanced and also taking into account the trajectory the matter has taken thus far from 2009.

**[8]** All the respondents in captioned contempt case now stand discharged and they also stand purged of contempt.

**[9]** Captioned contempt case is given a closure i.e., disposed of as closed. There shall be no order as to costs.

**JUDGE**

**CHIEF JUSTICE**

*John Kom*

**P.S. I : Upload forthwith**

**P.S. II : All concerned will stand bound by web copy uploaded in High Court website inter alia as the same is QR coded.**