

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

CRP(CRP.Art.227) No. 3 of 2026

With

MC(CRP(CRP.Art.227)) No. 9 of 2026

Shri Takhellambam Bhabananda Singh, aged about 41 years, S/o (L) T. Babu Singh (Soraren), a resident of Awang Kongpal Laishram Leikai, P.O. & P.S. Porompat, District-Imphal East, Manipur.

Petitioner/s

Vrs.

Shri Takhellambam Bolen Singh, aged about 41 years, S/o (L). T. Shyambabu Singh of Awang Kongpal Laishram Leikai, P.O. Imphal, P.S. – City, Imphal West District, Manipur.

Respondent/s

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
JUDGMENT & ORDER (ORAL)**

13.02.2026

[1] An order dated 30.01.2026 made by Revenue Tribunal, Manipur in Revenue Revision Case No. 23 of 2025 (Ref: Revenue Misc. Case No. 1 of 2024/SDO(P)/IE) has been called in question in the captioned Civil Revision Petition (CRP) under Article 227 of the Constitution of India.

[2] The afore-referred 'order dated 30.01.2026 made by the Revenue Tribunal Manipur' shall be referred to as 'impugned order' and 'the Revenue Tribunal Manipur' which made the impugned order shall be referred to as 'said Revenue Tribunal' (both for the sake of convenience and clarity).

[3] Impugned order was made by said Tribunal in exercise of powers of revision under Section 95 of the 'Manipur Land Revenue and Land Reforms Act, 1960 (Act No. 33 of 1960)' (hereinafter 'MLR & LR Act' for the sake of brevity).

[4] Owing to the scope of the legal drill at hand, as regards facts it will suffice to write that it is a case of a dispute qua fixation of boundaries and the dispute is between the revision petitioner and respondent pertaining to patta lands situate in Village No. 16 - Laishram Leikai, Imphal East District.

[5] 'Sub Divisional Officer, Porompat, Imphal East' (hereinafter 'said SDO') made an 'order dated 27.12.2024 in Revenue Misc. Case No. 1 of 2024/SDO(P)/IE' ('said SDO order' for the sake of convenience) as regards the afore-referred fixation of boundaries dispute on the basis of a demarcation report of 'Sub-Deputy Collector, Heingang, Imphal East' ('said SDC' for the sake of convenience and clarity). This 27.12.2024 order made by said SDO (said SDO order) was carried in revision to the said Revenue Tribunal by respondent in the captioned CRP arraying the revision petitioner in captioned CRP as the sole respondent. It is in this revenue revision case, the impugned order was made by said Revenue Tribunal.

[6] Mr. M. Devananda, learned senior advocate instructed by Mr. Ng. Jagatchandra, learned counsel on record for the revision petitioner who is before this Court submitted that the impugned order is bad in law and it deserves to be interfered with as it does not set out what were the jurisdictional errors and other errors warranting revision under Section 95 of MLR & LR Act.

[7] This Court carefully perused the records in the light of the pointed submissions of learned senior counsel. To be noted, learned senior counsel predicated his campaign against the impugned order of the said Revenue Tribunal on the aforesaid point notwithstanding myriad averments and grounds in the CRP memorandum.

[8] This Court wanted to know the provisions of law under which said SDO made the afore-referred 27.12.2024 order (said SDO order).

[9] Learned senior counsel submitted that said SDO made the 27.12.2024 order(said SDO order) in exercise of powers under Section 55 of MLR & LR Act which reads as follows:

‘55. Description of boundary marks:

The boundary marks shall be of such description and shall be constructed, laid out, maintained or repaired in such manner and shall be of such dimensions and materials as may, subject to rules made under this Act, be determined by the Deputy Commissioner or other officer appointed for the purpose.’

[10] A careful perusal of the afore-referred provision makes it clear that powers under Section 55 can be exercised only by ‘Deputy Commissioner’ or any other ‘officer appointed for this purpose’. To be noted, there is an adumbration of revenue officers vide Section 4 of MLR & LR Act, ‘Deputy Commissioner’ is Section 4 (b) thereat and ‘Sub-Divisional Officers’ is 4(e) thereat. Therefore, it is clear that Deputy Commissioners and Sub-Divisional Officers are different revenue officers. In the case on hand, there is no material before this Court to demonstrate that an officer other than Deputy Commissioner has been appointed for the purpose of exercise of powers under Section 55. At this juncture, learned senior counsel drew the attention of this Court to Section 166 which deals with Delegation of powers qua State Government.

Section 166 of MLR & LR Act, 1960 reads as follows:

‘166. Delegation of powers:

The State Government may, by notification in the Official Gazette, delegate to any officer or authority subordinate to him any of the powers conferred on him or on any officer subordinate to him by this Act, other

than the power to make rules, to be exercised subject to such restrictions and conditions as may be specified in the said notification.'

[11] A careful perusal of Section 166 brings to light that it deals with powers of State Government to delegate powers other than the power to make rules. Counsel for revision petitioner is unable to produce any notification of State Government to demonstrate that the Section 55 powers have been delegated to SDOs. This by itself is curtains on the matter as said SDO order (27.12.2024) suffers from vice of lack of jurisdiction.

[12] From the narrative and discussion thus far, it is clear that as regards powers under Section 55, there is nothing before this Court to demonstrate that an officer other than Deputy Commissioner has been appointed for the purpose of exercise Section 55 powers much less is there any material to demonstrate appointment of SDOs and likewise there is no material by way of notification of State Government demonstrating delegation of Section 55 powers much less qua SDOs.

[13] Reverting to the impugned order, the impugned order vide paragraph 5D captioned 'jurisdictional error' has made it clear that the SDO lacks jurisdiction (qua Section 55 of MLR & LR Act). To be noted, before the said Tribunal, there was full contest and therefore it can be safely inferred that even before said Tribunal, no notification of Government under Section 166 or authorization of any officer other than Deputy Commissioner vide Section 55 was placed by revision petitioner before said Tribunal.

[14] There are 3(three) other short points. One is the demarcation has been done by said SDC and not by said SDO who made the 27.12.2024 order. The demarcation by said SDC was done by pasting notice in the gate of respondent as

it is contended that respondent refused to receive notice but without going into the factual question of whether respondent refused to receive notice, it will suffice to write that this Court notices that the undisputed position is, notice was pasted and respondent was not present at the time of demarcation.

[15] The second short point is, the order dated 27.12.2024 made by the said SDO (said SDO says) says that the exercise was taken up in compliance with a letter i.e., letter No. Revenue Revision Case No. 5 of 2022 dated 19.12.2023 from the office of Deputy Commissioner, Imphal East. There is nothing to demonstrate that the Deputy Commissioner can either delegate or absent appointment of an officer for exercising powers under Section 55 when there is specific delegation powers under Section 166. As the jurisdictional error point being one of the points as regards which impugned order has been made finds favour with this Court, this Court deems it not necessary to go into other aspects of the matter besides the three short points.

[16] The third short point is, in and vide impugned order, said Tribunal, after setting aside the 27.12.2024 order made by said SDO has only directed the competent '*Revenue authority*' to do fresh demarcation strictly in accordance with law and has directed that till final demarcation is made, status quo with regard to possession shall be maintained by both parties. This only means that the jurisdictional Deputy Commissioner should now do a *de novo* exercise being a competent revenue authority within the meaning of Section 55 and parties should maintain status quo till demarcation is concluded. In this view of the matter also i.e., in view of this third short point also, this Court finds that there is no prejudice as the demarcation exercise has to be now done by a competent authority and

this will obviously be after putting both sides on notice and giving opportunity to both sides.

[17] The competent revenue authority i.e., jurisdictional Deputy Commissioner shall do well to expedite the matter and complete the *de novo* demarcation as per the impugned order of said Revenue Tribunal as expeditiously as the official business of the jurisdictional Deputy Commissioner would permit.

[18] In the light of the dispositive reasoning set out thus far, captioned the CRP does not pass muster in the admission Board, the same fails and it is dismissed. Consequently, captioned MC also perishes along with the CRP and the captioned MC is also dismissed. There shall be no order as to costs.

CHIEF JUSTICE

Indrajeet

FR/NFR