

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

MC (WP(C)) No.515 of 2025 with
WP(C) No.349 of 2021

Khaidem Muhindro Singh
& Anr

... Applicants

-Versus-

State of Manipur & 4 Ors

... Respondents

**BEFORE
HON'BLE MR. JUSTICE A.GUNESHWAR SHARMA**

16.3.2026

(O R A L)

Present Mr.Borish, learned counsel along with Ms.Monika, learned counsel for the petitioners and Mr.H.Debendra, learned Addl. A.G, Manipur assisted by Ms.I.Sarmila, learned Jr.Govt counsel for State respondent Nos.1 to 5.

[2] By the present writ petition, two petitioners approached this Court with prayers in the nature of mandamus and certiorari for quashing/setting aside the impugned orders dated 23.3.2021 and 12.4.2021 passed by the Sub Divisional Magistrate, Thoubal, in Cril Misc Case Nos.2 of 2021 and 3 of 2021 and common order dated 12.4.2021 directing the petitioners to remove the encroachment from Government land along NH 102.

[3] Vide order dated 17.4.2021 passed by this Court in WP(C) No.349 of 2021, it was directed that impugned orders dated 23.3.2021, 5.4.2021 and 12.4.2021 shall not be given effect to till the next date and interim order has been extended from time to time. During pendency of the writ petition, petitioner No.2 expired and his legal representatives are brought on record. Petitioner No.1, Khaidem

Muhindro Singh, is the s/o original petitioner No.2.Khaidem Kullachandra Singh.

[4] For the expansion of NH-102, respondents purchased a piece of land measuring .0060 hectares covered by CS Dag No.6181/6293 under Patta No.762 A 203/2146, (new) out of .0113 hectares, village No.28-Thoubal Tehsil Sub-Division Thoubal, belonging to the petitioner No.1, Shri Khaidemm Muhindro Singh for a consideration amount of Rs.7,74,974/-. Similarly, the State Government purchased homestead land measuring .0030 hectares village No.28-Thoubal Tehsil Sub-Division Thoubal village No.28-Thoubal Tehsil Sub-Division Thoubal covered by CS Dag No.6181 under Patta No.762-A, 203 (new) out out of homestead land belonging to petitioner No.2, Shri Khaidem Kullachandra Singh for consideration of Rs.3,87,487/-. The petitioners have received full consideration amount of the sale deed.

[5] It is stated that lands of the petitioners are situated on the eastern side of the Highway and after execution of the sale deeds, State Government claimed 10 ft more from the private land of the petitioners, from the last boundary of the demarcated portion of the highway. Vide order dated 23.3.2021 passed by the SDM, Thoubal in Cril Misc Case No.2 of 2021 under Section 133 of the Cr.P.C, petitioner No.1 Khaidem, Muhindro, was directed for removal of encroachment from government land for expansion of NH 102 in the public interest and vide another order dated 5.4.2021 passed by the SDM, Thoubal in Cril Misc Case No.3 of 2021 initiated under Section 133 Cr.P.C, petitioner No.2 Khaidem Kullachandra Singh was directed to remove encroachment from the public land for expansion of NH 102 in public interest and vide another common order dated 12.4.2021 passed by the SDM Thoubal in Cril Misc Case No.2 of 2021 and Cril Misc Case No.3 of 2021, earlier orders were made absolute and petitioners were

directed for removal of encroachment on or before 15.4.2021. Being aggrieved by the three orders, petitioners filed present petition being WP(C) No.349 of 2021 and as stated above this Court passed interim order dated 17.4.2021 suspending operation of the impugned orders.

[6] Petitioners also filed MC (WP(C)) No.515 of 2025 for amendment of the petition by inserting few paras in the petition. The State has also filed counter affidavit alleging that petitioners have not approached the learned SDM Thoubal to vacate the orders of removal of the encroachment upon the land purchased by the State from the petitioners. It is submitted that writ petition may be disposed of as the petitioners have already received full consideration of the land purchased by the registered sale deeds and the petitioners have not disputed the validity of the sale deeds.

[7] Mr.Borish, learned counsel for the petitioners submits that the impugned orders are issued by the SDM Thoubal, treating the private land of the petitioners as government land and the impugned orders may be set aside. On the other Mr.H.Debendra, learned Dy.A.G, Manipur submits that the registered sale deeds executed between the petitioner and respondents are not in dispute. After receiving full amount of sale/consideration amount, petitioners are still occupying some portion of the government land and have not fully vacated from the land sold by them to the State.

[8] Mr.H.Devendra, learned Dy. A.G, Manipur clarifies that the impugned orders passed by the SDM Thoubal, in two proceedings are issued for getting possession of the land sold to the State by the petitioners. Regarding the prayer for amendment of the petition in MC (WP(C)) No.515 of 2025, it is stated that it nothing but a technique to delay the proceedings after obtaining stay of eviction from this Court.

[9] During course of hearing, learned counsel appearing for the petitioners and respondents submit that the writ petition may be disposed of with a direction to the State respondents to conduct a fresh demarcation about the extent of boundary of the land purchased by the State from the petitioners in terms of the separate sale deeds dated 18.1.2020.

[10] In the circumstance, the writ petition is disposed of with the direction to the State respondents to conduct demarcation to ascertain the extent of land purchased by the State from the two petitioners vide two separate sale deeds dated 18.1.2020.

[11] Demarcation shall be conducted on 27.3.2026 at 10.00 AM onwards. Effort shall be made to complete the demarcation, preferably within two months. In case demarcation could not be completed, the same may be conducted on the next working day with prior information to both the parties.

[12] Petitioners shall cooperate and participate in the demarcation proceedings with all relevant records. Till completion of demarcation, petitioners shall not be evicted from the premises presently occupied by them.

With this direction, the writ petition is disposed of.

[13] It is made clear that the writ petition is disposed of without going into the merit of the case.

WP(C) No.349 of 2021 is disposed of. Interim order merges with the final order. MC (WP(C)) No.515 of 2025 also stands disposed of.

JUDGE

Priyojit