IN THE HIGH COURT OF MANIPUR : AT IMPHAL

PIL No. 34 of 2020

USER & 2 ors. ***… Petitioners***

-Versus-

The State of Manipur & 2 ors. ***…. Respondents***

B E F O R E
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE KH. NOBIN SINGH
(Video Conference)

18.08.2020

Heard Mr. M. Gunedhor, learned Advocate appearing for the petitioners while Mr. M. Rarry, learned Addl.AG for the respondents.

[1] This PIL has been filed by three petitioners, of whom the petitioner No. 1 and 3 are stated to be the bodies registered under the provisions of the Manipur State Cooperative Society and the Indian Trust Act respectively.

[2] The prayers of the PIL read as under:

"In the premises aforesaid it is respectfully prayed that Your lordship would be graciously pleased to admit this petition and issue Rule calling upon the respondents to show cause as to why a writ in the nature of mandamus and or other appropriate writ order or direction/orders shall not be issued to:

I. Formulate and implement a comprehensive State drug policy, through wide consultation, to curve the menace of drug in the State, with a strong emphasis on curbing drug supply.

II. Be pleased to entrust a central independent agency, like CBI or NIA to investigate into all cases involving the haul of drugs worth more than ten crores and further be

pleased to monitor all trials under the ND&PS Act by the Hon'ble High Court.

III. *Entrust a central independent agency, like CBI or NIA to investigate into the loss of remnants; attempt to forcefully remove charge sheet from the Court of ND&PS, Manipur; 'abduction' of the accused from Imphal by armed militants from to Myanmar and subsequent 'surrender' in the Court in special case S.T. No. 100 of 2018 in FIR No. 43(6) 2018 NAB P.S.*

IV. *And on cause or causes being shown and after hearing the parties be pleased to make the Rule absolute and be pleased to pass any other order/or orders or direction/or directions for the ends of justice.:"*

[3] From the aforesaid prayers and in particular, prayers II and III, it is seen that they have been made to entrust the task of investigation into the matter to a Central independent agency, like CBI or NIA. But the CBI or NIA has not been impleaded as a party respondent nor has the Union of India been impleaded as a party respondent and on top of that, although the contents of this PIL appear to have been exhaustively published in the newspapers, the petitioners are seen to have not, admittedly, submitted any representation either to the State Government or the Central Government for redressal for their grievances before approaching this Court.

[4] In view of the above, this Court is not inclined to entertain this PIL and accordingly, it stands disposed of with the direction that the petitioners shall approach the State Government and the Central Government by way of their representations. It is made clear that this Court has not examined the correctness or otherwise of the averments made in the PIL and that this Court has not expressed any opinion thereon. If the petitioners are aggrieved by any action or inaction on the part of the State Government or the Central Government while

considering the representations, it is open to the petitioners to approach this Court again in accordance with law.

Copies of this order shall be sent to the learned counsels appearing for the parties through their WhatsApp/e-mail.

JUDGE CHIEF JUSTICE

Dhakeshori

WAIKHOM TONEN MEITEI

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