Item -6

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

W.P.(C) No.455 of 2020

(Through Video conference)

Chington Development Society, Redg. No.418 (a)/M/SR/88/95, represented by its President Shri D.P. Philip aged about 58 years s/o N.G. Pani, Phaibung Khullen Village, P.O. & P.S. Tadubi, Senapati District, Manipur.

…. *Petitioner/s*

- Versus –

Union of India, represented by the Secretary, Ministry of Women & Child Development, Govt. of India, Shastri Bhawan, New Delhi-11000.

.... *Respondent/s*

BEFORE
HON'BLE MR. JUSTICE MV MURALIDARAN

15.09.2020

The writ petition has been filed by the petitioner/Society seeking the prayer as follows:-

> *"In the above stated facts, it is prayed that your Lordships' be pleased to;*
>
> *i) Issue a Writ of mandamus and direct the Respondent to consider and dispose the petitioner's Representation dated 20th July, 2020 at Annexure-A/8 within a stipulated time frame;*
> *ii) Pass any other appropriate order or orders deem fit for the ends of justice."*

[2] The case of the petitioner is that the petitioner/Society by namely and title of Chington Development Society has been started at the address of Phaibung Khullen village, Senapati District of Manipur.

[3] The said Society is registered under Manipur Society Registration Act 1989 at the Office of the Registrar of Societies, Manipur under Regd. No.418(a) of 1995 (M).

[4] The petitioner/Society has the right to be considered for allowing to run Ujjawala Home at Senapati District of Manipur on the ground that the petitioner/Society is the lone society recommended for the Senapati District, Manipur.

[5] The further case of the petitioner is that as per the policy decision of the Respondent to allow atleast one (1) such Ujjawala Home in every District of Manipur.

[6] Therefore, on the above reasons, the petitioner/Society has sent a representation seeking to start a Ujjawala Home at Senapati District, Manipur to the respondent on 20th July, 2020 which is enclosed at Annexure-A/8.

[7] When the matter came for admission on 18.08.2020, this Court directed Mr. Vijyanand Sharma, Ld. counsel for the respondent to take notice on behalf of the respondent and to get instructions in respect of the writ petition about the representation dated 20.07.2020 and inform this Court on 25.08.2020.

[8] Again, when the matter was taken up on 25.08.2020, Mr. Vijyanand Sharma, Ld. counsel for the respondent informed this Court that he has sent e-mail, but no communication has been received from the respondent. Therefore, he seeks time furthermore 2(two) weeks' time.

[9] Therefore, this Court has directed to post the matter today, i.e., on 15.09.2020.

[10] When the matter is taken up today, it is reported by Mr. S. Vijyanand Sharma, Ld. counsel for the respondent that before the representation sent by the petitioner on 20.07.2020, the respondent has sent a letter to the Ministry of Women & Child Development, Govt. of Manipur on 15.07.2020 requesting for furnishing the particulars. But the said letter dated 15.07.2020 is still pending till date.

[11] On receipt of the reply from the Ministry of Women & Child Development, Govt. of Manipur, the respondent will pass suitable orders on the representation given by the petitioner on 20.07.2020.

[12] Therefore, Mr. S. Vijyanand Sharma, Ld. counsel for the respondent seeks 2(two) months' time for disposing the representation from the date of receipt of reply on the letter dated 15.07.2020 from the Ministry of Women & Child Development, Govt. of Manipur.

[13] Mr. B.R. Sharma, Ld. counsel for the petitioner also agreed for the same and for giving 2(two) months' time, he has made no objection.

[14] Therefore, in the above circumstances, without going into the merits and demerits of the writ petition, I am inclined to pass the following orders:-

a) the writ petition is disposed of;

b) the respondent is directed to dispose of the petitioner's representation dated 20.07.2020 within 2(two) months from the date of receipt of the reply from the Ministry of Women & Child Development, Govt. of Manipur based on the letter dated 15.07.2020 sent by the respondent.

JUDGE

Larson

Yumkham Rother

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