*Item No.17*

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

**W.P. (C) No.623 of 2019**

Ningthoukhongjam Jogendrakumar Singh ***…Petitioner/s***

***- Versus –***

Commissioner/Secretary (Revenue),
Government of Manipur and 2 Ors. ***…Respondent/s***

**B E F O R E**
**HON'BLE MR. JUSTICE K H. NOBIN SINGH**

**O R D E R**

**29.01.2020**

**[1]** Shri Ch. Dhananjoy, learned Senior Advocate appearing for the petitioner and Shri Niranjan Sanasam, learned Government Advocate appearing for the respondents.

**[2]** By the instant writ petition, the petitioner has prayed for issuing a writ of mandamus or any other appropriate writ to direct the respondent to give an adequate and necessary relief/ compensation to the petitioner for the land acquired by the respondents.

**[3]** According to the petitioner, he is the owner of a homestead land under patta No.289 of village No.87-Uripok, corresponding to old patta No.177, covered by C.S Dag No.2032/2254, measuring an area of 0.0425 hectare.

**[4]** The said land of the petitioner was acquired by the Deputy Commissioner-Cum-District Collector, Imphal West under vide land acquisition Award/ Order dated 03.04.1998 for Nambul River Flood Control Project phase-I. In the said award dated 03.04.1998, the name of the petitioner's father is shown in the statement of the amount of compensation payable to the affected pattadars for Nambul River Flood

Control Project phase-I at serial No.2 and 89. But the compensation as shown in the award are not yet distributed to the petitioner for best reason known to them.

**[5]** On 22.03.2012, the Deputy Commissioner/ District Collector, Land Acquisition, Imphal West submitted a report to the Commissioner (Revenue), Government of Manipur under vide his latter wherein the value of the village No.87-Uripok was fixed at Rs.7,40,520/-(Rupees Seven lakh forty thousand five hundred twenty) per acre or equivalent of Rs.17.00 per sq.ft. The value of the land fixed in the year 1998 was also objected by the pattadars and moreover, the petitioner requested for rehabilitation on the ground of no space being available for his residential purpose.

**[6]** In respect of the Nambul River Flood Control Project at Kakhulong area, the land value has already been enhanced to Rs. 315.25/- (Rupees three hundred fifteen and twenty five paisa) per sq., as is shown in the report dated 5.02.2008 submitted by the Under Secretary (Revenue), Government of Manipur to the Deputy Commissioner/ Collector (LA), Imphal West and on the basis of the said report, the compensation has been distributed to the effected pattadars. The value of the petitioner's land is still fixed at Rs.17.00/-( Rupees seventeen) per sq.ft. which is highly discriminatory and illegal. However, the petitioner would like to withdraw the compensation amount laying in respondents' good office on protest, for which the petitioner submitted a representation dated 15.07.2019, followed by another 05.08.2019 addressed to the respondent for allowing him to withdraw the compensation amount on protest. Even after a lapse of more than 20 years, the respondents failed to take up work for rehabilitation of their family. The petitioner has been running from pillar to post to speed up the concerned files for getting necessary relief. But since the proper action has not been taken up by the respondents, the petitioner and his family members have been suffering a lot by staying in the house of their relatives.

**[7]** No counter has so far been filed on behalf of the respondents despite a number of opportunities being granted to the respondents for

filing their counter. On 28.11.2019, the learned counsel appearing for the State respondents was permitted to file their counter, in the interest of justice, subject to payment of Rs.500/-(Rupees five hundred) as costs to be paid to the High Court Bar Association of Manipur. From the office report dated 14.01.2020, it is seen that the respondents did not file counter affidavit nor did they pay the costs of Rs. 500/-(five hundred) paid to the High Court Bar Association of Manipur.

**[8]** When the matter is taken up today for consideration, it has been submitted by the learned counsel appearing for the petitioner that the instant writ petition can be disposed of with the direction that the respondents shall release the compensation amount as fixed in the award dated 03.04.1998 on protest. Accordingly, the instant writ petition stands disposed of with the direction that the respondents and in particular, respondent No.3, the Deputy Commissioner, Imphal west shall release the compensation amount as fixed and shown in the award dated 03.04.1998 at serial No.2 & 89 on protest. However, it is open to the petitioner to approach the appropriate forum for redressal of his further and other grievances.

**JUDGE**

***A.Surjit***