IN THE HIGH COURT OF MANIPUR

AT IMPHAL

W.P. (C) No. 975 of 2018

1. **Tekcham Rameshwor Meitei,** aged about 67 years, S/o (L) T. Kali, a resident of Wangjing, P.O. & P.S. Wangjing, Thoubal District, Manipur-795148.
2. Konsam Bhorot Singh, aged about 66 years, S/o Late K. Pheijao Singh, a resident of Wangjing, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.
3. Ngangom Chalamba Singh, aged about 50 years, S/o Late Ng. Ibobi Singh, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.
4. Lairikyengbam Suresh Singh, aged about 50 years, S/o Late Manihar Singh, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.
5. Likmabam Arunkumar Singh, aged about 36 years, S/o Late Likmabam Gambhir Singh, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.
6. Ngangom Gambhir Meitei, aged about 50 years, S/o (L) Ng. Mangi Singh, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.
7. Moirangthem Rome Singh, aged about 47 years, S/o (L) M. Biramani Singh, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.
8. Sanasam Tombi Devi, aged about 75 years, D/o Late S. Amu Singh, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.
9. Moirangthem Ruhikanta Singh, aged about 43 years, S/o (L) M. Biramani Singh, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.
10. Sanabam Prafullachandra Singh, S/o (L) S. Buddha Singh, aged about 68 years, a resident of Wangjing Wangkhei, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.
11. Sagolshem Ibungomacha Singh, S/o S. Radhamohon Meitei, aged about 55 years, a resident of Wangjing Wangkhei, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.
12. Sanasam Ashnikumar Singh, S/o S. Mangol Singh, aged about 50 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.
13. Soibam Ongbi Sunitibala Devi, W/o (L) S. Kumar Singh, aged about 56 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

14. Lairikyengbam Tomba Singh, S/o L. Manihar Singh, aged about 46 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

15. Shagolshem Ranjit Singh, aged about 55 years, S/o Late Sh. Nilamani Singh, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

16. Nongthongbam Priyokumar Singh, S/o (L) N. Babu Singh, aged about 70 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

17. Shagolshem Punshiba Meitei, S/o Rajmohon Meitei, aged about 50 years, a resident of Wangjing Wangkhei, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

18. Naorem Priyobrata Singh, S/o (L) N. Shyamo Singh, aged about 43 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

19. Naorem Ningol Sunita Devi, D/o (L) N. Shyamo Singh, aged about 38 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

20. Khangembam Indrakumar Singh, S/o Kh. Shamungou Singh, aged about 40 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

21. Haobam Haripriya Devi, D/o (L) H. Herojit Singh, aged about 19 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

22. Haobam Ibechaobi Devi, W/o (L) H. Naral Singh, aged about 78 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

23. Haobam Ningol Likmabam Ongbi Shantibala Devi, W/o L. Birbal Singh, aged about 55 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

24. Tongbram Bishwajit Singh, S/o T. Jilla Singh, aged about 40 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

25. Sanasam Basantaraj Singh, S/o (L) S. Maningou Singh, aged about 46 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

26. Sanasam Sachidananda Singh, S/o (L) S. Maningou Singh, aged about 48 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

27. Sanasam Ushakiran Singh, S/o (L) S. Maningou Singh, aged about 36 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

28. Sanasam Rowlinson Singh, S/o (L) S. Maningou Singh, aged about 42 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

29. Sanasam Shobhamenon Singh, S/o (L) S. Maningou Singh, aged about 50 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

30. Khumanthem Anil Singh, S/o Kh. Ibomcha Singh, aged about 33 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

31. Huidrom Memtom Devi, W/o (L) H. Lokhon Singh, aged about 62 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

32. Laishram Tomba Singh, S/o L. Ibobi Singh, aged about 48 years, a resident of Wangjiing Khabakhong Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

33. Ngangbam Sanjoy Singh, S/o (L) Kumar Singh, aged about 32 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

34. Samandram Ningol Heikham Ongbi Tilotama Devi, W/o H. Rajen Singh, aged about 53 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

35. Laishram Karnajit Singh, S/o (L) L. Shubhakumar Singh, aged about 32 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

36. Laishram Ongbi Landhoni Devi, W/o L. Juge Singh, aged about 63 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

37. Haobam Priyokumar Singh, aged about 50 years, S/o (L) Haobam Ibomcha Singh, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

38. Thiyam Dorendro Singh, S/o T. Shelungba Singh, aged about 45 years, a resident of Wangjing Wangkhei, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

39. Tongbram Ningol Ghambhini Devi, D/o T. Ningthourel Singh, aged about 56 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

40. Ngangbam Manaobi Singh, S/o (L) Ng. Ram Singh, aged about 55 years, a resident of Wangjing Bazar Khabakhong Leikai Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

41. Narengbam Ningol Nungshi Devi, D/o (L) N. Leiren Singh, aged about 60 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

42. Moirangthem Sushilkkumar Singh, S/o (L) M. Okendro Singh, aged about 46 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

43. Ratanjit Mutum, S/o M. Rajen Singh, aged about 30 years, a resident of Thoubal Haokha Maning Leikai, P.O. & P.S Wangjing, Thoubal District, Manipur – 795148.

44. Soibam Kumar Singh, S/o S. Kamal Singh, aged about 65 years, a resident of Wangjing Sorokhaibam Leikai, P.. & P.S Wangjing, Thoubal District, Manipur – 795148.

45. Laitnjkam Kunjeshwari Devi, W./o (L) L. Bishwarup Singh, aged about 60 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

46. Moirangthem Saphaba Singh, S/o (L) M. Biramani Singh, aged about 39 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

47. Likmabam Ongbi Inaobi Devi, W/o L. Ahsokumar Singh, aged about 70 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

48. Laishram Jugeshwar Singh, S/o (L) L. Tomba Singh, aged about 56 years, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

49. Ngangom Rishikanta Singh, aged about 49 years, a resident of Wangjing bazaar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

50. Likmabam Ashokumar sinigh, S/o (L) L. Udai Singh, aged about 72 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

51. Maibam Jiten Singh, S/o (L) M. Yaima Singh, aged about 47 years, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

52. Laishram Ongbi Inao Devi, W/o Tamnaral Singh, aged about 48 years, a resident of Wangjing Sorokhaibam Leikai, p.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

53. Sorokhaibam Bankimchandra Singh, aged about 40 years, S/o Sorokhaibam Bheiga Singh, a resident of Lamding Cherapur, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

54. Laishram Rashi Devi, aged about 25 years, D/o Laishrarm Shyamsunder Singh, a resident of Wangjiing Khabakhong Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

55. Laishram Inao Singh, aged about 41 years, S/o Laishram Kaoba Singh, a resident of Wangjing Khabakhong Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

… Petitioners

-Versus-

1. The State of Manipur through the Chief Secretary/ Government of Manipur, Old Secretariat, P.O. & P.S. Imphal, Imphal West District, Manipur – 795001.

2. The Secretary/Commissioner, Revenue, Government of Manipur, Old Secretariat, P.O. & P.S. Imphal, Imphal West District, Manipur – 795001.

3. The Deputy Commissioner, Thoubal District, Government of Manipur, P.O. & P.S. Thoubal, Manipur – 795001.

.... Respondents

With

W.P. (C) No. 981 of 2018

1. Shri Waikhom Ibopishak Singh, aged about 76 years, S/o Late W. Ibomcha Singh, resident of Thoubal Wangmataba, P.O. & P.S. & District, Thoubal, Manipur.

2. Okram Lokendrajit Singh, S/o O. Irabot Singh, aged about 38 years, a resident of Thoubal Okram Wangmataba P.O. & P.S. Thoubal, Thoubal District, Manipur.

3. Waikhom Kumar Singh, S/o W. Babudhon Singh, aged about 46 years, a resident of Thoubal Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

4. Okram Ingochouba Singh, S/o O. Nayan Singh, aged about 37 years, resident of Thoubal Okram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

5. Moirangthem (O) Radhe Devi, W/o M. Gambhir Singh, aged about 56 years, a resident of Thoubal Okram, P.O. & P.S. Thoubal, Thoubal District, Manipur.

6. Salam Ibomcha Singh, S/o (L) S. Lakhman Singh, aged about 50 years, a resident of Salungpham Kangthokchao, P.O. & P.S. Thoubal, Thoubal District, Manipur.

7. Wangjam Kumar Singh, S/o (L) W. Ruman Siingh, aged about 44 years, a resident of Khekman Bataman Okram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

8. Nongthombam Chandra Singh, S/o (L) N. Ibohal Singh, aged about 44 years, a resident of Thoubal Sabal Tongba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

9. Okram Joykumar Singh, S/o (L) O. Tomba Siingh, aged about 36 years, a resident of Thoubal Ningombam, P.O. & P.S. Thoubal, Thoubal District, Manipur.

10. Okram Babudhon Singh, S/o (L) O. Kuber Singh, aged about 67 years, a resident of Thoubal Ningombam, P.O. & P.S. Thoubal, Thoubal District, Manipur.

11. Okram Jakendra Singh, S/o O. Nayan Singh, aged about 38 years, a resident of Thoubal Okram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

12. Okram Dijen Singh, S/o (L) O. Dijen Singh, aged about 45 years, a resident of Thoubal Okram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

13. Okram Ibotombi Singh, S/o (L) O. Iboton Singh, aged about 65 years, a resident of Thoubal Okram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

14. Okram (O) Madhabi Devi, W/o (L) O. Thoiba Singh, aged about 53 years, a resident of Thoubal Okram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

15. Thongam Kuber Singh, S/o (L) Th. Tabob Singh, aged about 60 years, a resident of Thoubal Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

16. Ningombam Shamungou Singh, S/o (L) N. Ibobi Singh, aged about 50 years, a resident of Thoubal Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

17. Elangbam Kokil Singh, S/o (L) E. Irabot Singh, aged about 44 years, a resident of Thoubal Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

18. Elangbam Shashi Singh, S/o (L) E. Irabot Singh, aged about 45 years, a resident of Thoubal Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

19. Yanglem Ingobi Singh, S/o (L) Y. Mani Singh, aged about 60 years, a resident of Thoubal Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

20. Okram Munal Singh, S/o (L) O. Mani Singh, aged about 44 years, a resident of Thoubal Okram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

21. Laishram Sureshkumar Singh, S/o (L) L. Ibungo Singh, aged about 28 years, a resident of Thoubal Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

22. Thounaojam (N) Thongam (O) Ruhini Devi, W/o Th. Birchandra Singh, aged about 44 years, a resident of Thoubal Okram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

23. Okram Sunil Singh, S/o (L) O. Tombi Singh, aged about 38 years, a resident of Thoubal Okram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

24. Ningombam Sanatomba Singh, S/o (L) N. Tombi Singh, aged about 60 years, a resident of Thoubal Okram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

25. Ningombam Jagadish Singh, S/o N. Bidyasagar Singh, aged about 30 years, a resident of Thoubal Okram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

26. Aribam Bhupendra Sharma, S/o A. Norton Sharma, aged about 40 years, a resident of Thoubal Okram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

27. Okram Doren Singh, S/o (L) O. Amumacha Singh, aged about 45 years, a resident of Kram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

28. Okram Jugin Singh, S/o (L) O. Borni Singh, aged about 70 years, a resident of Thoubal Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

29. Okram Ibohal alias Newtonchandra Singh, S/o O. Nayan Singh, aged about 62 years, a resident of Thoubal Okram Wangmataba, P.O. & P.S. Thoubal, Thoubal District, Manipur.

… Petitioners

-Versus-

1. The State of Manipur through the Principal Secretary/ Commissioner/Secretary (Revenue), Government of Manipur, Old Secretariat Building, P.O. & P.S. Imphal, Imphal West District, Manipur – 795001.

2. The Addl. Chief Secretary/ Principal Secretary/Commissioner (Works), Government of Manipur, New Secretariat Building, P.O. & P.S. Imphal, Imphal West District, Manipur, Pin – 795001.

3. The Deputy Commissioner, Thoubal District, Government of Manipur, P.O., P.S. & District, Thoubal, Manipur, Pin – 795001.

…. Respondents

With

W.P. (C) No. 1029 of 2018

1. O. Dilip Singh, aged about 60 years, S/o O. Kunjabihari Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

2. W. Sobita Devi, aged about 50 years, W/o W. Tejmani Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

3. Waikhom Manaobi Singh, aged about 70 years, S/o (L) W. Ibomcha Singh, resident of Thoubal Okram Wangmataba, P.O, P.S. & District Thobual, Manipur.

4. Waikhom Sanatombi Singh, aged about 71 years, S/o (L) W. Ibomcha Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

5. N. Brojen Singh, aged about 44 years, S/o (L) N. Ibobi Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

6. Thokchom Ibosana Singh, aged about 60 years, S/o Th. Ibochou Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

7. Th. (O) Thaba Leimai, aged about 40 years, W/o Th. Ibosana Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

8. L. Thoiba Singh, aged about 63 years, S/o (L) Gouramani Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

9. Akoijam Ibotombi Singh, aged about 67 years, S/o (L) A. Naral Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

10. Ak. Kanhai Singh, aged about 55 years, S/o Ak. Manihar Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

11. Kakchingtabam Shanti Devi, aged about 60 years, D/o K. Ibungo Sharma, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

12. W. Chaobiton Devi, aged about 60 years, D/o Nimai Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

13. H. Radheshyam Singh, aged about 43 years, S/o H. Gambhir Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

14. Ak. Rajkumar Singh, aged about 43 years, S/o (L) Ak. Komor Singh, resident of Thoubal Wangmataba, Sorok Makha, P.O., P.S. & District, Thoubal, Manipur.

15. L. Shyam Singh, aged about 58 years, S/o (L) Gosai Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

16. K. Kheda Singh, aged about 38 years, S/o K. Rajmani Singh, resident of Charangpat Mamang Leikai, P.O., P.S. & District, Thoubal, Manipur.

17. Th. Rabi Singh, aged about 28 years, S/o Th. Kuber Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

18. A. Sanjit Singh, aged about 42 years, S/o A. Shamu Ssingh, resident of Thoubal Ningombam, P.O., P.S. & District, Thoubal, Manipur.

19. L. Kumar Singh, aged about 50 years, S/o (L) Ibomcha Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

20. Th. Somen Singh, aged about 42 years, S/o Th. Kuber Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

21. Y. Chandramani Siingh, aged about 64 years, S/o Y. Bira Singh, resident of Thoubal Khekman Makha Leikai, P.O., P.S. & District, Thoubal, Manipur.

22. Ningombam Ramani Devi, aged about 17 years, D/o (L) N. Ibobi Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

23. A. Ibohal Singh, aged about 72 years, S/o (L) A. Mangoljao Singh, resident of Haokha Mamang, P.O., P.S. & District, Thoubal, Manipur.

24. Laishram Shantikumar Singh, aged about 58 years, S/o L. Khamba Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

25. Leitanthem Ibethoi Devi, aged about 44 years, W/o L. Rajen Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

26. Th. Borajaoba Singh, aged about 58 years, S/o (L) Th. Iboton Singh, resident of Thoubal Kshetri Leikai, P.O., P.S. & District, Thoubal, Manipur.

27. O. Budhi Singh, aged about 47 years, S/o O. Ningthou Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

28. L. Mohini Devi, aged about 63 years, W/o N. Yaiskul Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

29. W. Biren Singh, aged about 45 years, S/o W. Mukta Singh, resident of Thoubal Mayai Leikai, P.O., P.S. & District, Thoubal, Manipur.

30. Ak. Chaoswor Singh, aged about 35 years, S/o Ak. Mangijao Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

31. Thounaojam Nepolean Meitei, aged about 40 years, S/o Th. Jatishwor Meitei, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

32. Ayekpam (N) Asem (O) Sanatombi Devi, aged about 70 years, W/o A. Achou Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

33. O. Irabot Singh, aged about 68 years, S/o (L) O. Brajao Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

34. Okram Mukta Singh, aged about 62 years, S/o (L) Chaobal Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

35. Okram Nandabir Singh, aged about 48 years, S/o O. Nenem Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

36. Okram Loyangamba Singh, aged about 48 years, S/o (L) Brojen Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

37. Okram Thoiba Singh, aged about 50 years, s/o (L) O. Angou Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

38. Ningombam Subhaschandra Singh, aged about 40 years, S/o (L) N. Shamu Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

39. Okram Shyamjai Singh, aged about 42 years, S/o O. Nayan Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

40. S. Mangi Singh, aged about 40 years, S/o S. Ibobi Singh, resident of Sabaltongba Awang Leikai, P.O., P.S. & District, Thoubal, Manipur.

41. Ak. Loidang Devi, aged about O. Ibohanbi Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

42. Namram Mangi Singh, aged about 62 years, S/o (L) N. Iboton Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

43. Puyam Deben Singh, aged about 44 years, S/o P. Leiren Singh of Kshetri Leikai, P.O., P.S. & District, Thoubal, Manipur.

44. O. Padmakumar Singh, aged about 40 years, S/o O. Noyon Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

45. O. Suresh Singh, aged about 4o years, S/o O. Kunjabihari Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

46. Okram Prasenjit Singh, aged about 40 years, S/o Padmakumar Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

47. N. Ranjit Singh, aged about 50 years, S/o N. Ibobi Singh, resident of Thoubal Okram Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

48. Laiphrakpam Kumar Singh, aged about 71 years, S/o (L) L. Lolito Singh, resident of Kakwa Laiphrakpam Leikai, P.O. & P.S. Singjamei, Imphal West District, Manipur, Pin – 795008.

49. W. Jibon Kumar Singh, aged about 65 years, S/o (L) Ningthou Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

50. W. Somorendra Singh, aged about 65 years, S/o (L) W. Ningthou Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

51. W. Manichandra Singh, aged about 72 years, S/o (L) W. Ningthou Singh, resident of Thoubal Wangmataba, P.O., P.S. & District, Thoubal, Manipur.

… Petitioners

-Versus-

1. The State of Manipur through the Principal Secretary/Commissioner/Secretary (Revenue), Government of Manipur, Old Secretariat Building, P.O. & P.S. Imphal, Imphal West District, Manipur, Pin – 795001.

2. The Addl. Chief Secretary/ Principal Secretary/ Commissioner (Works), Government of Manipur, New Secretariat Building, P.O. & P.S. Imphal, Imphal West District, Manipur, Pin – 795001.

3. The Deputy Commissioner, Thoubal District, Government of Manipur, P.O., P.S. & District, Thoubal, Manipur, Pin – 795138.

... Respondents

With

W.P. (C) No. 1139 of 2018

1. M. Biharjit Singh, aged about 51 years, S/o M. Bisambhor Singh, a resident of Wangjing Wangkhei, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

2. Y. Ibemnungshi Devi, aged about 65 years, W/o Y. Nimai Singh, a resident of Wangjing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

3. H. Rebika Devi, aged about 55 years, W/o L. Brajabidhu Singh, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

4. N. Babulin Singh, aged about 55 years, S/o N. Tomba Singh, a resident of Lamding Nasikhong Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

5. L. Achoubi Singh, aged about 40 years, S/o L. Ibobi Singh, a resident of Wangjing Khabakhong Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

6. Kh. Bisho Singh, aged about 48 years, S/o (L) Kh. Gopal Singh, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

7. Kh. Biren Singh, aged about 65 years, S/o (L) Kh. Gopal Singh, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

8. Kh. Noren Singh, aged about 48 years, S/o Kh. Thoiba Singh, a resident of Lamding Khumanthem Leikai, P.O. & P.S. Wangjing, Thouibal District, Manipur – 795148.

9. L. Ibobi Siingh, aged about 70 years, S/o (L) L. Jatra Singh, a resident of Wangjing Khabakhong Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

10. H. Leirentombi Devi, aged about 65 years, W/o H. Kumar Singh, a resident of Wangjiing Sorokhaibam Leikai, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

11. Y. Rajendro Singh, aged about 65 years, S/o (L) Y. Hemo Singh, a resident of Lamding Cherapur, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

12. Y. Rinod Singh, aged about 40 years, S/o Y. Biren Singh, a resident of Wangjing Heitupokpi, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

… Petitioners

-Versus-

1. The State of Manipur through the Chief Secretary, Government of Manipur, Old Secretariat, P.O. & P.S. Imphal, Imphal West District, Manipur – 795001.

2. The Secretary/Commissioner, Revenue, Government of Manipur, Old Secretariat, P.O. & P.S. Imphal, Imphal West District, Manipur – 795001.

3. The Deputy Commissioner, Thoubal District, Government of Manipur P.O. & P.S. Thoubal, Manipur – 795147.

... Respondents

With

W.P. (C) No. 909 of 2019

1. Tekcham Rameshwor Meitei, aged about 68 years, S/o (L) T. Kali, a resident of Wangjing, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

2. Konsam Bhorot Singh, aged about 67 years, S/o Late K. Pheijao Singh, a resident of Wangjing, P.O. & P.S. Wangjiing, Thoubal District, Manipur.

3. Ngangom Chalamba Singh, aged about 51 years, S/o Late Ng. Ibobi Singh, a resident of Wangjing Bazar, P.O. & P.S. Wangjing, Thoubal District, Manipur – 795148.

… Petitioners

-Versus-

1. The State of Manipur through the Chief Secretary, Government of Manipur, Old Secretariat, P.O. & P.S. Imphal, Imphal West District, Manipur – 795001.

2. The Secretary/Commissioner, Revenue, Government of Manipur, Old Secretariat, P.O. & P.S. Imphal, Imphal West District, Manipur – 795001.

3. The Deputy Commissioner, Thoubal District, Thoubal, P.O. & P.S. Thoubal, Government of Manipur – 795138.

4. The Deputy Commissioner/Competent Authority (L.A), Tengnoupal, Government of Manipur, P.O. & P.S. Tengnoupal, Manipur – 795131.

... Respondents

B E F O R E
HON'BLE MR. JUSTICE KH. NOBIN SINGH

For the Petitioners	::	Shri Kh. Tarunkumar, Advocate & Shri I. Denning, Advocate
For the Respondents	::	Smt. Momota Oinam, Addl. A.G.
Date of Hearing	::	11-02-2020
Date of Judgment & Order	::	**21-02-2020**

JUDGMENT& ORDER

Heard Shri Kh. Tarunkumar, learned Advocate appearing for the petitioners in WP(C) No. 1029 of 2018 and WP(C) No.981 of 2018; Shri I. Denning, learned Advocate appearing for the petitioners in the remaining writ petitions and Smt. Momota Oinam, learned Addl. Advocate General appearing for the respondents in all the writ petitions.

[1] Since the above writ petitions have arisen out of the similar set of facts and circumstances, the same are being disposed of by this common judgment and order.

W.P. (C) No. 975 of 2018:

[2.1] By the instant writ petition, the petitioners have prayed for issuing a writ of certiorari or any other appropriate writ to quash and set aside the Public Notice dated 29-08-2017 issued by the Deputy Commissioner, Thoubal, Manipur; to quash and set aside consequential actions/ steps taken by them and also to direct the respondents to initiate the process as regards the land acquisition in accordance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ***(hereinafter referred to as the "Land Acquisition Act, 2013"***).

[2.2] According to the petitioners, they are the pattadars/ land owners in respect of certain lands and are in possession thereof by paying land revenue to the concerned authorities. The petitioners are also carrying on trade and business over the said lands as the same are situated adjacent to the National Highway. In support of their factum of possession, a separate sheet indicating the name, address, patta number, area, village etc. is enclosed for perusal and in addition thereto, copies of the Jamabandi issued in the name of some of the petitioners, are enclosed for easy reference.

[2.3] The respondents issued a Notification dated 06-08-2013 in connection with the expansion of National Highway-102 (old-39), from

southern side of Lilong bridge upto border bridge, Moreh, affecting 44 numbers of villages which was published in the local daily "Sangai Express" on 12-01-2014. The said notification was issued under the old Act. The Deputy Secretary (Works), Government of Manipur vide its letter dated 20-08-2016 addressed to the Deputy Commissioner, Thoubal, conveyed the approval for direct purchase of the lands required for widening the said road from the local owners under the supervision of a Committee chaired by the Deputy Commissioner, Thoubal. Pursuance to the said letter, the Deputy Commissioner, Thoubal issued an official letter dated 06-06-2017 requesting to expedite the submission of the desired information to him, followed by a letter dated 20-07-2017 requesting to do necessary marking and demarcation.

[2.4] The Deputy Commissioner, Thoubal issued a Public Notice dated 05-08-2017 which was published in the local daily newspaper "Poknapham" on 07-08-2017 informing all the affected pattadars in the proposed direct purchase of lands for expansion/ construction of National Highway No.102 (old-39) under the revenue jurisdiction of Thoubal District for negotiation of rates. The petitioners, their business being run for their livelihood, formed an association called the "**National Highway New Alignment Affected Land Owners Committee"** and the petitioners through their Joint Action Committee (JAC) submitted a representation to the Deputy Commissioner, Thoubal requesting him not to initiate any illegal and unconstitutional action. If the lands of the petitioners are acquired for expansion of the said road, the procedure contemplated in the Land Acquisition Act, 2013 ought to have been initiated by the authorities. Even

after the representation being submitted, the respondents and its agents carried out actions contrary to the procedure established by law entering into the said lands illegally and disturbing the peaceful possession of the lands and being aggrieved by such actions, the petitioners were compelled to approach this Court to protect their lawful possession of the said lands by way of writ petitions being WP(C) No.613 of 2017 and WP(C) No.814 of 2017 wherein this Court was pleased to pass an interim order dated 16-08-2017 directing the respondents not to disturb the peaceful possession of land without the leave of the Court. The said writ petitions were, later, disposed of on 03-08-2018 directing the respondents to consider the representation to be submitted by the petitioners and till then, the respondents were directed not to disturb the peaceful possession of the petitioners. The petitioners did submit a detailed representation but the respondents, instead of considering the same, issued the impugned order dated 29-08-2018.

[2.5] An affidavit has been filed on behalf of the respondent No.2 stating that the purpose for issuing the said notice by the Deputy Commissioner, Thoubal for direct purchase of lands, was for speedy completion of the proposed expansion/ construction of NH-102 through negotiation i.e. from the willing pattadars. There is no question of discrimination on the part of the State Government as the direct purchase was to be made from the willing pattadars. As per the OM dated 09-10-2017, the State Government while purchasing the lands through direct purchase, would give the same amount of compensation as given in the Land Acquisition Act, 2013 and therefore, there is no question of arbitrary,

unreasonableness in the direct purchase method. The process of direct purchase will not violate the rights of the petitioners as it is through negotiation and consent. The lands of the petitioners will not be purchased by the State Government without their consent and payment of compensation thereof as prescribed in the Land Acquisition Act, 2013.

[2.6] In the rejoinder affidavit filed on behalf of the petitioners, it has been stated that the present petitioners are those persons who are not willing to sell their lands by negotiation through direct purchase. The State Government can proceed with the acquisition of lands through the procedures as prescribed in the Land Acquisition Act, 2013 but not through the direct purchase. In respect of other areas in the State, the State Government has chosen to apply the procedures prescribed in the Land Acquisition Act, 2013 and therefore, the petitioners have expressed their desire that the procedure as prescribed in the Land Acquisition Act, 2013 be taken up in respect of their lands. The process of direct purchase was initiated long before the existence of the OM dated 09-07-2017. The State Government is playing fraud and misleading those affected pattadars by doing hide and seek and also by not applying the relevant law and therefore, the actions of the State Government are unjust, unfair, unreasonable and unconstitutional.

W.P. (C) No. 981 of 2018:

[3.1] By the instant writ petition, the petitioners have prayed for issuing a writ of certiorari or any other appropriate writ to quash and set aside the

letters dated 20-08-2016 & 06-06-2017; Public Notice dated 05-08-2017 and the Notice dated 29-08-2018.

[3.2] According to the petitioners, they are the owners of lands/ recorded pattadars under the Thoubal Sub-Division, Manipur and are affected by the ongoing project of expansion of National Highway No.102

[3.3] On 20-08-2016, the Deputy Secretary (Works), Government of Manipur wrote a letter to the Deputy Commissioner, Thoubal conveying the approval of purchasing lands belonging to the petitioners by way of direct purchase. On 06-06-2017, the Deputy Commissioner, Thoubal wrote a letter to the SDC, Thoubal requesting him to take up immediate necessary action and to furnish a detailed report followed by another letter dated 20-07-2017 requesting him to do necessary marking and demarcation for the lands which are going to be acquired for expansion of the National Highway on or before 31-07-2017. On 05-08-2017, the Deputy Commissioner, Thoubal issued a public notice informing all the affected pattadars in respect of the proposed direct purchase of land that a public hearing for negotiation of rates of affected lands will be held on 17-08-2017 and all the affected pattadars of the revenue villages in the proposed expansion/ construction were requested to attend it on time. A Joint Action Committee was formed by the affected pattadars and thereafter, the Secretary of the JAC submitted a written objection to the Deputy Commissioner, Thoubal on 16-08-2017 highlighting their grievances and requesting him to take necessary proceedings under the provisions of the Land Acquisition Act, 2013.

[3.4] About 10 persons from the Wangjing Village under the Thoubal District, Manipur filed a writ petition being WP(C) No.613 of 2017 questioning the legality of the expansion of the National Highway in which this Court passed an order dated 16-08-2017 directing the respondents not to evict the petitioners from their possession without the leave of the Court. The petitioners along with some others also filed a writ petition being WP(C) No.741 of 2017 praying for setting aside the Government letters dated 20-08-2016, 06-06-2017 and 20-07-2017 and Public Notice dated 05-08-2017 issued by the Deputy Commissioner, Thoubal which was disposed of on 03-08-2018 permitting the petitioners to submit a representation and till then, the respondents were directed not to disturb them from the possession of their lands. In compliance with the said order of the Court, the petitioners submitted a representation highlighting their grievance and requesting the State Government to follow the provisions of the Land Acquisition Act, 2013. The respondents instead of considering the said representation dated 20-08-2018, issued a notice dated 29-08-2018 informing the pattadars for necessary checking/ verification of the respective affected lands to be done at the office of the Deputy Commissioner within 06-09-2018 during office hour. It was further notified that the claims and objections beyond the above mentioned date, would not be entertained by the State Government. Thereafter, on 03-10-2018, the Chairperson of the Thoubal Municipal Council submitted an extract copy of the resolution of the Councillors requesting to take up necessary process in the interest of the general public. Being aggrieved by the actions of the respondents, the instant writ petition has been filed by the petitioners.

[3.5] An affidavit on behalf of the respondent No.1 has been filed taking the same stand as has been taken in writ petition being WP(C) No. 975 of 2018 and therefore, the averments made therein are not repeated here for the sake of brevity.

[3.6] In the reply affidavit filed on behalf of the petitioners, it has been stated that the Land Acquisition Act, 2013 is an Act enacted by the Parliament which is followed in the State. There is no any provision in the said Act for acquiring lands belonging to the general public through direct purchase. In respect of the construction of the Imphal-Kangchup-Tamenglong Road, a Notification dated 23-06-2018 was issued by the Government of Manipur under Section 11(1) of the Land Acquisition Act, 2013. The respondents being the State authorities, must exercise their power in a just, reasonable and fair manner. They are not permitted to act at their own whims and sweet wills just like an individual person. In the OM dated 09-10-2017, it is nowhere mentioned as to the provision of law under whcih the same was issued. On perusal of the said OM., it is clear that the State Government did not want to follow the provisions of the Land Acquisition Act, 2013.

W.P. (C) No. 1029 of 2018:

[4.1] By the instant writ petition, the petitioners have prayed for issuing a writ of certiorari or any other appropriate writ to quash and set aside the letters dated 20-08-2016 & 06-06-2017; public notice dated 05-08-2017 and notice dated 29-08-2017.

[4.2] According to the petitioners, they are the owners/ recorded pattadars of the lands under the Thoubal Sub-Division, Manipur and are affected by the ongoing project of expansion of National Highway No.102.

[4.3] Facts and circumstances as narrated in the instant writ petition are similar to that of the writ petition being WP(C) No.981 of 2018 and therefore, the same are not repeated here for the sake of brevity.

[4.4] An affidavit has been filed on behalf of the respondent No.2 stating that the widening of the National Highway from Lilong bridge to Yaithibi Loukon under the revenue jurisdiction of Thoubal District was/is required for strengthening the road pavement to the standard of National Highways under the Act East Policy of India. Hence, the State Government has conveyed approval to the expansion/ widening of National Highway–102 for direct purchase of lands from the pattadars with the authority of law. An affidavit on behalf of the respondent No.1 also has been filed and the stand taken therein is similar to the one taken by it in writ petition being WP(C) No.981 of 2018 and therefore, the averments made therein are not repeated here for the sake of brevity.

W.P. (C) No. 1139 of 2018:

[5.1] By the instant writ petition, the petitioners have prayed for issuing a writ of certiorari or any other appropriate writ to quash and set aside the Public Notice dated 29-08-2017 issued by the Deputy Commissioner, Thoubal, Manipur and also to quash and set aside consequential actions/ steps of the respondents as the respondents have made unauthorized and illegal actions/ process/ steps.

[5.2] The petitioners are in physical possession and are the pattadars/ land owners of their respective lands paying land revenue to the concerned authorities from time to time.

[5.3] According to the petitioners, the respondents issued a Notification dated 06-08-2013 in connection with the expansion of the National Highway-102 (old-39) which was published in the local daily "Sangai Express", Imphal on 12-01-2014. The Patta number, Dag number, affected areas and classification of the lands as shown in the said Notification, have tallied with the land records, Patta lands and the Jamabandis of the petitioner's lands.

[5.4] The Deputy Secretary (Works), Government of Manipur vide its letter dated 20-08-2016 addressed to the Deputy Commissioner conveyed the approval of the State Government for direct purchase of the said lands and pursuant thereto, the Deputy Commissioner issued an office letter dated 06-06-2017 to expedite submission of the desired information to him at the earliest, followed by a letter dated 20-07-2017 requesting to do necessary marking and demarcation of the lands.

[5.5] Facts and circumstances as narrated in the writ petition are similar to that of the facts mentioned in writ petition being WP(C) 975 of 2018 and therefore, the same are not repeated here for the sake or brevity.

W.P. (C) No. 909 of 2019:

[6.1] By the instant writ petition, the petitioners have prayed for issuing a writ of certiorari or any other appropriate writ to quash and set aside the

Office Memorandum dated 09-10-2017 issued by the Commissioner, Government of Manipur.

[6.2] The petitioners are the pattadars/ land owners and are in possession of the lands situated at Wangjing under Thoubal District, Manipur paying land revenue from time to time to the concerned authorities.

[6.3] The State respondents have decided to acquire their lands through a mechanism or procedure called “Direct Purchase” for the expansion of the National Highway-102 (old-39) from the Southern side of the Lilong bridge upto the border bridge, Moreh and being aggrieved by it, the petitioners have already approached this Court by way of various writ petitions and the last being WP(C) No.975 of 2018 which is pending for adjudication by this Court.

[6.4] The State Government issued the O.M. dated 09-10-2017 laying down the guidelines to be followed by the Purchase Committee of different departments while resorting to direct purchase of land from willing pattadars/ land owners for various schemes of the State Government. The validity and correctness of the OM dated 09-10-2017 is being challenged by the petitioners on the inter-alia grounds that it is an executive order issued by the State Government to supersede the relevant provisions of the statutory law; that the guidelines contained in the said OM, if followed, will lead to treating similarly situated persons differently and unequally; that the Land Acquisition Act, 2013 is the law enacted for purpose of acquisition of private land and that the expression “**direct purpose**” is nowhere mentioned in the Land Acquisition Act, 2103.

[7] From the pleadings as aforesaid, two issues have arisen for consideration by this Court-one, whether the process for acquisition of lands belonging to the petitioners initiated by the State Government through the method of 'direct purchase' or for that matter, the steps taken by the State Government towards acquisition of the lands belonging to the petitioners in the form of notice, letter etc. for expansion/ construction of the National Highway No.102 through the method of 'direct purchase', is legally valid and two, whether the State Government is competent to issue the Office Memorandum dated 09-10-2017 laying down the guidelines to be followed by various Departments while acquiring the private land.

[8] Article 300A of the Constitution of India provides that no person shall be deprived of his property save by authority of law. This article has been inserted in the year, 1979 by way of an amendment of the Constitution of India. Prior to the amendment, it was a fundamental right but it is now a constitutional right. This constitutional right or for that matter, the deprivation of the property of a person, is impermissible in the hands of the executive except by sanction of law. In other words, deprivation of property may take place in various ways in the hands of the State but not in a manner unknown to law. The land acquisition Act is an expropriatory legislation. The State can ordinarily acquire a property in exercise of its power of 'eminent domain' subject to the existence of public purpose and on payment of reasonable compensation in terms of the provisions of the Act. The land acquisition Act, 1894 was the general law relating to acquisition of land for public purposes and for determining the amount of compensation to be made on account of such acquisition. But the

provisions of the said act were found to be inadequate in addressing certain issues related to the exercise of the statutory powers of the State for involuntary acquisition of private land and property. The said Act did not address the issues of rehabilitation and resettlement to the affected persons and their families. Keeping in mind the various issues relating to acquisition of private land, the Land Acquisition Act, 2013 was enacted by the parliament.

[9] It is not in dispute that the petitioners are the land owners/ pattadars of the lands which are sought to be acquired by the State Government for the purpose of expansion/ construction of the National Highway No.102 (old-39) from Lilong bridge to border bridge, Moreh. It is also not in dispute that the lands of the petitioners are required for public purpose and that the National Highway No.102 is also one of the important highways from different angles like communication, trade development, Act East Policy etc. It may be noted that the execution of development works by the State Government is meant for the general public. As regards the first issue, the only contention of the petitioners is that their lands can be acquired for the expansion/ construction of the National Highway No.102 but the acquisition shall be done in accordance with the procedure known to law. According to them, the acquisition of their lands through the method or mechanism of “direct purchase” by the State Government is not known in law and moreover, it is nowhere envisaged about it in the Land Acquisition Act, 2013 which is enacted by the parliament for such purpose. There is no reason as to why the procedure as prescribed in the Land Acquisition Act, 2013 should not be followed while acquiring their lands.

During the course of hearing, it has been vehemently submitted by the counsels appearing for the petitioners that the petitioners have no objection to the acquisition of their lands in public interest and that they have no objection to the development projects being undertaken by the State Government for the general public. All that they have submitted, is that the process of land acquisition shall be initiated and their lands be acquired in accordance with the provisions of the Land Acquisition Act, 2013.

[10] The stand of the State Government as indicated in the affidavits filed on its behalf, is that the method of 'direct purchase' is being adopted by it for speedy completion of the expansion/ construction of the National Highway No.102 through negotiation from the willing pattadars. The action of the State Government cannot be said to be arbitrary and unreasonable, as the direct purchase is to be made from the willing pattadars only and while purchasing their lands, the guidelines as contained in the OM dated 09-10-2017 will be followed and they will be given the same amount of compensation and other benefits as contemplated in the Land Acquisition Act, 2013. The intention of the State Government may have been genuine but the actions taken by the officials of the State Government have shown contrary thereto. The process of acquisition of lands through the method of 'direct purchase' can be said to have been initiated sometime in the year 2016, although the Notification under the old Act was issued in the year, 2013. Even after the expiry of more than 3 years, the process of acquisition still remains incomplete with the result that the purpose of adopting the method of 'direct purchase' for speedy completion of the

expansion/ construction of National Highway No.102 has remained a dream yet to be fulfilled by the State Government. Had the process of acquisition of land initiated under the provisions of the Land Acquisition Act been taken up seriously, it could have been completed by now. On perusal of the documents filed along with the writ petitions and the counter affidavits, it is seen that the State Government appears to have not done its exercise properly and sincerely. The State Government appears to be unaware and unclear of the exact details of the land owners/ willing pattadars whose lands are required to be acquired for expansion/ construction of the National Highway-102. In other words, the State Government appears to have no separate list of pattadars who have expressed their willingness of selling their lands through the method of 'direct purchase' as is evident from the various notices issued by the Deputy Commissioner, Thoubal. The list of the affected pattadars appears to have included the names of the petitioners who have expressed no willingness. The State Government appears to have proceeded on the assumption that the petitioners are willing pattadars. Lack of sincerity on the part of the officials of the State Government could have been one of the factors for its inability to complete the process in time. While issuing notice like the one dated 29-08-2018, the respondents and in particular, the Deputy Commissioner, Thoubal shall take every care and caution and the use of the expression "further claims and objections beyond the above mentioned date will not be entertained" in it may tantamount to laying threat on the affected pattadars including the petitioners which shall be avoided by the Deputy Commissioner, Thoubal, as the lands of the petitioners are not going to be acquired by the State Government through

the method of ‘direct purchase’. Such notice shall be confined specifically to the willing pattadars only and no confusion in the mind of the public shall be created by the Deputy Commissioner, Thoubal so as to obviate further delay in the completion of the process. The approach of the State Government ought to be clear, fair and reasonable so that the object sought to be achieved by it thereof, can be achieved in time without any problem. During the course of hearing, the Additional Advocate General appearing for the State has produced a copy of the letter dated 10-02-2020 addressed to her by the Deputy Commissioner, Thoubal wherein it has been stated that the total number of pattadars affected by the National Highway within the jurisdiction of Thoubal District is 1268, out of which the number of pattadars whose lands are in the process of executing sale deed is 150 and the number of pattadars who have shown willingness but have filed applications to rectify certain anomalies are 338. The remaining are the unwilling pattadars whose details are not disclosed by the State Government, with the result that it is not clear as to whether the said unwilling pattadars will include the names of the petitioners.

[11] Be that as it may, in view of the stand taken by the State Government that only the lands of the land owners/ pattadars who are willing to sold their lands through ‘direct purchase’, will be acquired; it is fair enough and therefore, the issues involved herein need not be considered and decided by this Court in the present writ petitions and the same can be considered in appropriate cases in future. In other words, the questions of law formulated hereinabove shall be kept open and moreover, any decision rendered by this Court thereon will have a bearing and far

reaching legal consequence on the rights of the pattadars who have expressed their willingness to sell their lands through the method of 'direct purchase' or for that matter, the process of acquisition being initiated by the State Government in respect of them, as they are not arrayed as parties in the above writ petitions. It is made clear that this Court does not express any opinion as regards the validity and correctness of the method of 'direct purchase' adopted by the State Government. Therefore, the decisions of the Hon'ble Supreme Court relied upon by the counsel appearing for the petitioners are not being referred to herein. It is not required for the present. The names of the petitioners have been admittedly included in the list of willing pattadars whose lands can be acquired through 'direct purchase' method, although it is contended by them that they have never expressed their willingness to sell their lands through the method of 'direct purchase' and moreover, the State Government is unable to produce any document to show that the petitioners have expressed their willingness to sold their lands through the method of 'direct purchase'.

[12] For the reasons stated hereinabove, the instant writ petitions stand disposed of with the following directions:–

(a) The State Government shall not acquire the lands of the petitioners through the method of 'direct purchase' and if the lands of the petitioners are still required by the State Government for the expansion/ construction of the National Highway No.102, the State Government can acquire them by initiating the process

of land acquisition under the provisions of Land Acquisition Act, 2013;

(b) The petitioners shall not be disturbed by anyone including the State Government, in any manner, from the possession of their respective lands except in accordance with law namely, the Land Acquisition Act, 2013 as desired by them;

(c) It is open to the State Government to proceed with the land acquisition through the method of 'direct purchase' from the willing pattadars only and complete the process of land acquisition so as to complete the expansion/ construction of the National Highway No.102, at the earliest possible, in the interest of general public.

JUDGE

FR / NFR

Devananda

WAIKHOM TONEN MEITEI Digitally signed by WAIKHOM TONEN MEITEI Date: 2020.02.21 13:47:07 +05'30'