

WP(C) No. 391 of 2004

**BEFORE  
HON'BLE MR. JUSTICE KH. NOBIN SINGH**

23.5.2017

Heard Shri Serto T. Kom, learned counsel appearing for the petitioner; Shri S. Rupachandra, learned ASG appearing for the Union of India and Shri R.K. Umakanta, learned Government Advocate appearing for the State Government.

The subject matter in issue relates to the question of ownership of a piece of land measuring about 10 acres at Tadubi Village in the Senapati District. According to the petitioners, they are the owners of the said land and admittedly, since the said land is being occupied by the 15 Assam Rifles, the initiation of an appropriate proceedings under the land acquisition becomes necessary for payment of compensation. Some time in the year 2003, the Deputy Commissioner, Senapati District had informed the Commissioner (Revenue), Government of Manipur that the said land belong to the petitioners and appropriate steps be taken for acquisition of the said land. The case of the Assam Rifles is that although the said land is being occupied by them, they are present in the land in aid to the State of Manipur on request of the latter and shall vacate the same as and when they are not required by the State Government. It is further the stand of the respondents that the petitioners are not the owners of the said land for the reason that no documents are produced by them in support thereof.

Today, when the matter was taken up for consideration Shri Serto T. Kom, learned counsel appearing for the petitioner submits that in order to avoid any further delay in the matter, the Deputy Commissioner, Senapati District may be directed to enquire into

whether the petitioners are the owners of the said land or not and to submit a report to the State Government thereafter. He further submits that in the event of the report being submitted by the Deputy Commissioner, Senapati District to the effect that the petitioners are the owners, necessary steps be taken by the State Government for acquisition of the said land for payment of compensation and in case the Deputy Commissioner, Senapati District is of the opinion that the said land do not belong to the petitioners, the petitioners may be given liberty to approach appropriate forum for redressal of their grievance. Therefore, he prays that an innocuous order may be passed disposing of the writ petition to which learned counsels appearing for the respondents have no objection. Accordingly, the writ petition is disposed of with the direction that the Deputy Commissioner, Senapati District shall enquire into the question whether the petitioners are the owners of the said land or not and submit a report thereof to the State Government after giving opportunity of being heard to the concerned parties including the Union of India and the State Government within a period of 3 (three) months from the date of receipt of a copy of this order. On receipt of such a report, the State Government shall consider it within a month thereafter and issue a speaking order thereof.

JUDGE

*Victoria*