

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

PIL No. 33 of 2020

1. Moirengthem Sobha Meitei aged about 52 years S/o (L) M. Angangyai of Kumbi Tera Kha, P.O. Moirang & P.S. Kumbi, Bishnupur District, Manipur, Pin No. 795126.

... Petitioner

-Versus-

1. The State of Manipur represented by the Chief Secretary, Government of Manipur, Old Secretariat Complex, Babupara, Imphal Wes District, Manipur.
2. The Deputy Commissioner/Executive Director, DRDA, Bishnupur District, P.O.& P.S. Bishnupur, Manipur – 795126.

... Official Respondents

3. S. Bimol Singh aged about 51 years, S/o S. Nabakeshore Singh, Wangoo Ahal Lup, Sanasam Leikai, P.O. Moirang, P.S. Kumbi, Bishnupur District, Manipur – 795126.

... Private Respondent.

B E F O R E

**HON'BLE THE CHIEF JUSTICE MR. RAMALINGAM SUDHAKAR
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

For the petitioner	:	Mr. A. Mohendro, Advocate
For the respondents	:	Mr. Lenin Hijam, Addl. Advocate General
Date of hearing & order	:	23.07.2020

O R D E R

[A.B., J.]

[1] Heard Mr. A. Mohendro, learned counsel appearing for the petitioner and Mr. Lenin Hijam, learned Additional Advocate General appearing for the respondents No. 1 & 2.

[2] In the present case it has been averred by the petitioner that due to the increasing population and scarcity of free space, the people living in the locality of Kumbi Uchan Makhong are finding it difficult to perform religious and other ceremony. In order to overcome such inconvenience and for the welfare of the local populace of the Kumbi Uchan Makhong, a community hall was constructed by the local populace of the said area with their own contribution and not a single rupee was used from the M.L.A. – Local Area Development Fund for such construction.

[3] It has also been averred by the petitioner that through an R.T.I. application the petitioner found out that one, Mr. S. Bimol Singh (respondent No. 3 herein) received a sum of Rs. 3,20,000/- (Rupees three lakh and twenty thousand) for construction of the community hall of Kumbi Uchan Makhong.

It has been alleged by the petitioner that the said community hall at Kumbi Uchan Makhong was constructed by the populace of the locality with their own contribution and that the respondent No. 3 neither constructed the said community hall nor did the respondent No. 3 participate during the construction of the community hall which was carried out by the local populace of Kumbi Uchan Makhong. It is, accordingly alleged that the respondent No. 3 fraudulently withdrew the said amount of Rs. 3,20,000/- in the name of construction of the said community hall. On such premises, the

petitioner filed the present case praying for directing the official respondents to make an inquiry regarding the fraudulent withdrawal of the money by the respondent No. 3 and take appropriate action for recovery of the said amount of Rs. 3,20,000/- from the respondent No. 3 and to hand over the said amount to the Kumbi Uchan Makhong Development Committee, Ward No. 1.

[4] After hearing the learned counsel for the parties and after perusal of the record of the present case, we are of the view that there is neither any element of public interest involved in the present case nor can this Court decide in the present case, which has been filed in the guise of Public Interest Litigation, the dispute as to whether the said community hall at Kumbi Uchan Makhong had been constructed by the local populace from their own contribution or by the private respondent from the M.L.A. – Local Area Development Fund.

Under these circumstances, we are not inclined to entertain this case as a Public Interest Litigation and accordingly, the same is dismissed, however, without costs.

[5] It is, however, made clear that the dismissal of this PIL will not bar the petitioner from availing any other appropriate remedy provided under the law for redressal of his grievance.

JUDGE

CHIEF JUSTICE

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