

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

W.P. (C) No. 429 of 2020

Shri Khoisnam Himat Singh aged about 58 years, s/o late Kh. Ibomcha Singh of Thoubal Bazar, P.O. & P.S. Thoubal, Thoubal –District, Manipur Pin No. – 795138.

..... **Petitioner**

- Versus -

1. The State of Manipur represented by the Commissioner (Revenue), Government of Manipur, Old Secretariat, Babupara, Pin No. – 795001.
2. The Deputy Commissioner (Collector/LA), Thoubal, Thoubal District, Manipur, Pin No. – 795138.
3. The Director of Settlement & Land Records, Government of Manipur, Lamphelpat, Pin No. 795004.
4. The Assistant Survey & Settlement Officer, Thoubal, Deputy Commissioner's compound, Thoubal. Pin No. – 795138.
5. Khundrakpam Ningthem Singh s/o late Kh. Ibobi Singh of Kiyam Siphai P.O. & P.S. Thoubal, Thoubal District, Manipur, Pin – 795138.

.... **Respondents**

BEFORE

HON'BLE THE CHIEF JUSTICE MR. RAMALINGAM SUDHAKAR

For the petitioner	:	Mr. Th. Ibohal, Sr. Advocate
For the respondents	:	Mr. N. Kumarjit, A.G.

Date of Order	:	27.07.2020
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ORDER

[1] Heard Mr. Th. Ibohal, learned senior counsel appearing for the petitioner and Mr. N. Kumarjit, learned Advocate General appearing for the State respondents.

[2] The relief sought for in the present writ petition is as follows :-

- " b. as to why an appropriate writ of Certiorari of direction or order should not be issued a direction for initiation of a regular land acquisition proceeding in accordance with Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 regarding the affected land of the petitioner, which are excluded in the list of the direct purchase;*
- c. as to why the Hon'ble Court not issue a direction not to make disturbance, alterations and change of records of right during the process of the land acquisition"*

[3] Mr. Th. Ibohal, learned senior counsel appearing for the petitioner states that the petitioner is the owner of certain extent of homestead land (Schedule-A and Schedule-B lying in compact) situated on the adjacent to west of the National Highway 102 at Waithou Toronglaobi, within village No. 22-Kiyamsiphai, Thoubal District, Manipur. The grievance of the petitioner is that the respondents are attempting to take away the land by way of direct purchase. He refers to order dated 21.02.2020 passed in by this Court in W.P. (C) No. 975 of 2018 wherein direction has been issued to the State Government not to adopt 'direct purchase' but to proceed under the provisions of the Land Acquisition Act, 2013.

[4] Be that as it may, the petitioner pleaded that he has made a representation dated 31.01.2020 (Annexure-A/7) to the Commissioner (Revenue), Government of Manipur and the District Collector (D.C/Land

Acquisition), Thoubal District, Manipur. However, there is no signature nor proof of submitting the same to the authority. In absence of such proof of submitting such representation, objection raised by Mr. N. Kumarjit, learned Advocate General that the authority cannot decide in vacuum, is sustained.

[5] Accordingly, the writ petition stands disposed of giving liberty to the petitioner to make a detailed representation with proper acknowledgment to the officer concerned, who shall, thereafter, decide the same on its own merit.

Writ petition stands disposed of as above.

CHIEF JUSTICE

Sandeep

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