

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

WP(C) No. 457 of 2022

Loitongbam Deven Singh & 10 ors.

...Petitioner/s

Vs.

Union of India & 6 ors.

...Respondent/s

**B E F O R E
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

27-06-2022

Heard Mr. N. Bupendra Meitei, learned counsel appearing for the petitioners; Mr. Kh. Samarjit, learned ASG for respondent No. 1 and Mr. Lenin Hijam, learned AG assisted by Mr. Dimal Kumar Haobam, learned counsel appearing for the respondent Nos. 2 to 7.

[2] In view of the limited prayer made on behalf of the petitioners and as agreed to by the counsel appearing for the parties, the present writ petition is disposed of at the Motion stage without waiting for the counter affidavit of the respondents.

[3] The case of the petitioners is that a representation had been submitted to the concerned authorities on behalf of 441 claimants who are claiming for providing status of Other Traditional Forest Dwellers (OTFD) of Wangoo Gram Panchayat, Kakching District, Manipur and that the said representation has not yet been considered by the authorities till today.

[4] In the meantime, the Divisional Forest Officer, Thoubal Forest Division, Manipur issued Show Cause Notice dated 16-05-2022 directing the petitioners and other persons to give explanation by

appearing in-person or pleaders on their behalf on or before 7th day from the date of receipt of the said Show Cause Notice with necessary documents indicating sufficient reasons as to why they should not be evicted from the land of Thongam Mondum Reserved Forest and if they failed to response to the said Show Cause Notice within the stipulated time, necessary eviction process will be initiated immediately without further communication.

[5] The learned counsel appearing for the petitioners submitted that the present petitioners and other persons altogether numbering about 441 have submitted their representation claiming for providing the status of Other Traditional Forest Dwellers (OTFD) of Wangoo Gram Panchayat, Kakching District, Manipur as provided under the relevant Act and Rules and that without considering and disposing of the said representation, the authorities have initiated the eviction process as contemplated under the Show Cause Notice in a very arbitrary manner.

[6] The learned counsel, accordingly, submitted that pending consideration and disposal of their claims, an interim order be passed restraining the authorities from evicting the petitioners from their land presently possessed by them. It is also submitted by the learned counsel for the petitioners that responding to the said Show Cause Notice and apprehending their eviction, the petitioners submitted a representation dated 16-06-2022 to the concerned authorities of the Government with a request for completing the verification process for

providing the status of Other Traditional Forest Dwellers (OTFD) of Wangoo Gram Panchayat, Kakching District, Manipur and that pending consideration and disposal of the said representation, the respondents be restrained from initiating the process of eviction of the petitioners from the lands presently possessed by them.

[7] Mr. Lenin Hijam, learned AG as well as Mr. Kh. Samarjit, learned ASG submitted that the present writ petition can be disposed of by issuing an innocuous direction to the concerned authorities of the Government to consider the representation dated 16-06-2022 submitted by the petitioners and to dispose of the same by issuing a speaking order within a period of 2(two) months and that pending consideration and disposal of the said representation, no eviction process will be initiated against the petitioners. The learned counsel appearing for the petitioners also agree with the submissions advanced by the learned AG and learned ASG and made a prayer for disposing of the present writ petition as suggested by the learned counsel for the respondents.

[8] In view of the submissions made by the learned counsel appearing for the parties, this Court is of the considered view that it will be expedient to issue the following directions :-

- i) The respondent Nos. 3 to 7 are directed to consider the said representation dated 16-06-2022 submitted by the petitioners and dispose of the same by issuing a speaking order within a period of 2(two)

months from the date of receipt of a copy of this order.

- ii) Pending consideration and disposal of the said representation, respondents are directed not to initiate any eviction process against the petitioners and other similarly situated persons (numbering 441) who are claiming the status of Other Traditional Forest Dwellers (OTFD) of Wangoo Gram Panchayat, Kakching District, Manipur without leave of this Court.

[9] With the above directions, the present writ petition is disposed of.

JUDGE

Dhakeshori