

Item No. 151

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

**MC(WP(C)) No. 77 of 2023**  
*Ref:- WP(C) No. 92 of 2021*

The Managing Director, NHIDCL.

***...Applicant***

**- Versus -**  
State of Manipur & 16 Ors.

***...Respondents***

BEFORE  
**HON'BLE THE ACTING CHIEF JUSTICE MR. MV MURALIDARAN**

**28.02.2023**

- [1] Heard Mr. Ng. Jotindra, learned counsel for the applicant; Mr. D. Julius Riamei, learned counsel for the respondent No. 3 and Mr. Sh. Shyam Sharma, learned GA for the respondents No. 1 and 2.
- [2] The applicant has filed the present Misc. case in MC(WP(C)) No. 77 of 2023 seeking the prayer as follows :

*"i. to allow the Misc. Application for closing the above referred writ petition in the light and spirit of the letter dated 06.12.2021 {Annexure-Z/1 to Affidavit-in-opposition dated 16.03.2022 at page no. 7 filed by the NHIDCL (Respondent no. 3) in the above referred writ petition} by directing the Commissioner (Revenue), Government of Manipur (Respondent No. 1) to reimburse to the applicant (NHIDCL) the said Compensation amount of **Rs. 89,24,170/- (Rupees Eighty-nine Lakh Twenty-four Thousand One***

***Hundred Seventy Only)** which was deposited before the Hon'ble Court via Cheque No. "059458" dated 15/02/2023 as per direction of Hon'ble High Court dated 09.02.2023 (Annexure-B/1) in the interest of justice;*

*ii. to pass any further orders as to the Hon'ble High Court may seem fit and proper for the ends of justice and equity."*

[3] Mr. Jotindra, learned counsel for the applicant represented that the compensation amount for a Compensation amount of **Rs. 89,24,170/-(Rupees Eighty-nine Lakh Twenty-four Thousand One Hundred Seventy Only)** has been deposited in the name of the Registrar General, High Court of Manipur via Cheque No. "059458" dated 15/02/2023 as per direction of Hon'ble High Court dated 09.02.2023 and this Court by order dated 28.02.2023 i.e. today in MC(WP(C)) No. 76 of 2023 permitted the writ petitioner to withdraw the said Compensation amount of **Rs. 89,24,170/-(Rupees Eighty-nine Lakh Twenty-four Thousand One Hundred Seventy Only)** as claimed by the writ petitioner.

[4] Mr. Jotindra, learned counsel for the applicant in this Misc. Case MC(WP(C)) No. 77 of 2023 filed this Misc. case for directing the Commissioner (Revenue), Government of Manipur to reimburse the said of **Rs. 89,24,170/-(Rupees Eighty-nine Lakh Twenty-four Thousand One Hundred Seventy Only)** to this respondent.

[5] Mr. Sh. Shyam Sharma, learned GA has strongly opposed for consideration of the prayer since this applicant should work out his remedy and reimbursement should be provided separately and not by this

Court. Considering the arguments it is made clear that the applicant namely the Managing Director, NHIDCL had already sent a letter on 06.12.2021 to the Commissioner (Revenue), Government of Manipur and therefore, it is the bounden duty of the Commissioner (Revenue), Government of Manipur to pass appropriate order for reimbursement of the amount.

[6]           Accordingly,

- a)     this Misc. case in MC(WP(C)) No. 77 of 2023 is allowed in the light of the letter dated 06.12.2021.
- b)     the Commissioner (Revenue), Government of Manipur is directed to pass appropriate orders on the letter dated 06.12.2021.

**ACTING CHIEF JUSTICE**

*Sushil*