

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

WP(C) 183 of 2026 with
MC (WP(C)) No.188 of 2026

M/s RK Infracorp Pvt Ltd

... Petitioner

-Versus-

Union of India & 4 Ors

... Respondents

**BEFORE
HON'BLE MR. JUSTICE A.GUNESHWAR SHARMA**
27.2.2026

This matter is taken up on mention as supplementary -2 due to urgency involved in the matter.

Heard Mr.S.Biswajit, learned senior counsel assisted by Mr.Sanatomba, learned counsel for the petitioner.

The petitioner is a contractor for NF Railway in connection with the execution of certain work for construction of railway line from Jiribam to Imphal.

Vide order dated 19.2.2025, Ministry of Environment, Forest and Climate Change, Government of India gave approval in favour of the NF Railway for non-forestry use of 5.5 ha of Forest land for Mining of appropriate earth from designated forest land for construction of Railway embankment at Imphal valley area for the Jiribam Imphal. Vide letter dated 8.10.2025, the Addl Prinncipal Chief Conservator of Forest Nodal Officer/FCA Government of Manipur sent a letter to the Dy.CE/Con-4/Imphal, N.F.Railway, giving revised penal NPV (net present value) for a sum of Rs.1,25,09,280/-. Since petitioner has already paid NPV of Rs.25,01,856/- balance penal NPV to be

recovered was calculated at Rs.1,00,07,424/-. In letter dated 15.10.2025 submitted by the Dy. Chief Engineer/Con-4, NF Railway to the Addl. Principal Chief Conservator of Forests, Manipur, assures that NF Railway will realise the balanced penal net present value and the same Dy.CE/Con-4, Imphal, NF Railway, made an undertaking that NF Railway will bear the realization of balanced penal net present value of Rs.1,00,07,424/- for forest clearance of 5.5 ha of forest land.

In the report of joint survey done on 13.12.2025, the Sub Divisional Officer, Kangchup Geljang Kangpokpi, it was specific case of railway that extraction of earth work from the area is not done by the railway alone and unauthorised individuals and groups are carrying out quarrying at the same site. Vide impugned letter dated 15.10.2025, reminders dated 17.10.2025 and 22.10.2025 issued by the Dy. Chief Engineer/ Con-4, N.F.Railway to the petitioner, it was directed to deposit the additional penal net present value amount of Rs.1,00,07,424.00.

By the present petition, the petitioner prays for quashing letters dated 15.10.2025, 17.10.2025 and 22.10.2025 issued by the Dy. Chief Engineer/Con Imphal-IV NF Railway, Imphal for payment of additional balance and also direct the respondent to re-assess the total area of excavation done by the petitioner.

Issue Notice.

Mr.S.Vijayanand Sharma, learned Sr.PCCG, accepts notice on behalf of respondent Nos.1, 2 and 3 and Mr.A.Bheigya Meitei, learned Jr.Govt counsel assisting Mr.H.Devendra, learned Addl. A.G, Manipur accepts notice on behalf of respondent Nos.4 and 5. Hence, service is complete on respondents.

Learned counsel for respondents pray for three weeks' time for filing counter affidavit.

Mr.S.Biswajit, learned senior counsel for the petitioner prays for an interim relief of stay of recovery of balance NPV of 1,00,07,424.00 from the petitioner during pendency of the writ petition, as Dy. Chief Engineer, NF Railway, has submitted an undertaking to the Forest Department for payment of balance NPV.

During course of hearing, Mr.S.Vijayanand Sharma, learned Sr.PCCG produced a copy of letter issued by the Asstt Executive Engineer/Con NF Railway, Imphal dated 27.2.2026 addressed to him, stating that outstanding payment of Rs.1,25,09,280.00 as additional penal NPV for stage-II forest clearance of 5.5 hac had already been recovered on 26.2.2026 from the contractor's own account bill No.13 and submits that the prayer for stay of impugned notices for recovery has become infructuous as on date.

On the other hand Mr.S.Biswajit, learned senior counsel for the petitioner submits that outstanding amount is Rs.1,00,07,424.00 and petitioner has already deposited Rs.25,01,856/- and recovery of penal NPV is Rs.1,25,09,280 is not sustainable in the present form. It is submitted that Railway have to produce detailed proof of deduction.

In the circumstance, it is clarified that if the balance NPV of Rs.1,00,07,424/- is not actually recovered from the petitioner the recovery is stayed till next date. If it is already deducted, it should not be without prejudice to the right of the petitioner to recover the same in terms of the undertaking given by the Railway authorities.

Furnish a copy of this order to learned counsel for the parties through WhatsApp or any other available means.

List on 25.3.2026.

JUDGE

Priyajit