

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

W.P.(C) No. 449 of 2022

Th. (N) Lourembam (O) Romila @ Romita Devi

.....*Petitioner/s*

- Versus –

State of Manipur & 2 Ors.

.... *Respondent/s*

BEFORE

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

17.06.2022

[1] Heard Mr. M. Ibohal Singh, learned counsel appearing for the petitioner.

Issue notice, returnable within 4 (four) weeks.

Mr. Shyam Sharma, learned Government Advocate accepts notice on behalf of the respondents No. 1 & 2, hence, no formal notice is called for in respect of the said respondents.

Petitioner is to take steps for service of notice upon the respondent No. 3 by speed post within 1 (one) week.

[2] The counsel for the petitioner submitted that the petitioner is the pattadar-cum-physical possessor of the agricultural land under Patta No. 9 (old)/557 (new) covered by Sheet No. 3/207 measuring 1.21408 hectare of Village No. 074 – Uchiwa, Mayang Imphal Tehsil, Wangoi Sub-Division, Imphal West District.

[3] The case of the petitioner is that without at all giving any notice to the petitioner, the private respondent No. 3 approached the Court of S.D.C., Imphal West (S), Mayang Imphal by filing Mutation Case No. 105/SDC/IW(S) of 2022 and obtained an order dated 05.05.2022 for mutating the said land in

her name. On the basis of the said mutation order passed by the S.D.C., the concerned officer of the Revenue Department mutated the name of the respondent No. 3 in the Jamabandi. On coming to know about such mutation, the petitioner approached the Revenue Tribunal, Manipur by filing the Revenue Revision Case No. 28 of 2022 assailing the mutation order passed by the S.D.C. and in the said Revenue Revision Case, the Revenue Tribunal was pleased to pass an order on 27.05.2022 in Revenue Revision Case No. 28 of 2022 staying the impugned mutation order dated 05.05.2022 passed by the S.D.C.

[4] The learned counsel for the petitioner vehemently submitted that despite the stay order passed by the competent authority, the respondent No. 3, who happened to be an influential person, entered the disputed land forcibly by using Police Personnel and demolished the structures of the petitioner constructed in the said disputed land and tried to occupy the disputed land forcibly without any authority of law. In view of the above, the learned counsel for the petitioner prayed for passing interim order to protect the interest of the petitioner during the pendency of the present writ petition.

[5] Mr. Shyam Sharma, learned Government Advocate submitted that he may be given some time to get necessary instructions in this regard and to file a detail counter affidavit.

[6] As prayed for, list this case again on 27.07.2022. In the meantime, it is hereby directed that the possession of the petitioner of the aforesaid land should not be disturbed without the leave of this Court.

JUDGE

Lhaineichong