

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

WP(C) No. 499 of 2022

Smt. Khwairakpam (O) Sanahal Devi & 12 Ors.

...Petitioners

- Versus -

State of Manipur & 3 Ors.

...Respondents

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

28.03.2023

[1] Heard Mr. N. Zequeson, learned counsel for the petitioner;
Mr. Sh. Shyam Sharma, learned GA for the respondents No. 1 to 3 and
Mr. Y. Thoiba, learned counsel for the respondent No. 4.

[2] While pendency of the writ petition, counter affidavit has
been filed by the respondent No. 4 dated 27.03.2023 in which the
Executive Officer, Moirang Municipal Council wrote a letter dated
03.06.2022 to the Deputy Commissioner, Bishnupur District which reads
as follows :

**"OFFICE OF THE
MOIRANG MUNICIPAL COUNCIL
MOIRANG**

No. 4/3/MMC/2021

Moirang, 3rd June, 2022

To,

*The Deputy Commissioner,
Bishnupur District, Bishnupur.*

Subject: Submission of report for Eviction of Stalls of Moirang Municipal Council.

Sir,

With due regards, I Executive Officer, Moirang Municipal Council (MMC) have the honour to lay the following few facts for your kind consideration and necessary action.

That on 2nd June, 2022 Eviction drive has been done in the unauthorised occupants at Moirang Okshongbung to Moirang Lamkhai with prior information by SDO (M). There are 11 (Eleven) stalls (C Group-3) and (G Group-8) at Moirang Lamkhai the said stalls are the source of Revenue for the Council for last 20/30 years. These stalls are also demolished in the eviction without prior information to the Council.

So, you are most earnestly requested to take up timely necessary action in this regard and kindly arranged alternative suitable action in this regard.

Enclosed: (List of Stall Holders)

Yours faithfully,

Sd/-

*(Moirangthem Inaobi Singh)
Executive Officer,
Moirang Municipal Council."*

[3] Therefore, Mr. Zequeson, learned counsel for the petitioner represented that the Moirang Municipal Council has admitted that the they have issued stall licences to the petitioner and the stalls are the source of revenue for the Council for the last 20/30 years and these stalls have been demolished in the eviction without prior information to the Council or the Petitioner.

[4] Therefore, the Executive Officer, Moirang Municipal Council has requested the Deputy Commissioner, Bishnupur District to take up timely necessary action and made the request to arrange alternative suitable action in this regard.

[5] Mr. Sh. Shyam Sharma, learned GA appearing for the State respondents seeks time to get proper instruction from the respondents and report this Court.

[6] Therefore, post the matter for orders on 21.04.2023.

[7] Mr. Sh. Shyam Sharma, learned GA seeks time to file affidavit, in the meantime.

ACTING CHIEF JUSTICE

Sushil