

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

**AB No. 15 of 2023 with AB No. 16 2023 with
AB No. 20 of 2023 with AB No. 21 of 2023**

Somimayar Awungshi and 2 Ors.

.... *Petitioners*

- *Versus* -

Superintendent of Police, CID (CB) Manipur

.... *Respondent*

**BEFORE
HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU
ORDER**

02.08.2024

Heard Mr. Wungpam Yangya, learned counsel appearing for the petitioners and Mr. M. Rarry, learned Special PP appearing for the respondent.

The learned counsel for the petitioners had filed additional affidavit on behalf of the petitioners.

Perused the relevant facts and and the same is extracted hereunder:

"2. That, the Hon'ble Lokayukta (Complainant in the FIR) after considering the report of the IO has passed a detailed Judgement and Order dated 18-06-2024, wherein the FIR No. 3(08) 2023 CB-PS was directed to be closed. The operational part of the said judgement and order is reproduced hereunder for easy reference:

*"The Director, Prosecution is the office of the Manipur Lokayukta is hereby directed under Section 20(7) (a) of the Manipur Lokayukta Act, 2014 to **report for closure of the FIR No. 3(08) 2023 CB-PS U/s 430/046/420/120/-B IPC & 13 PC Act** arising the Complaint No. 6 of 2021..."*

The learned counsel for the petitioners submitted that the present petition may be closed and the same has become infructuous.

The learned counsel for the petitioners draws the attention of this Court to reproduce the whole operative portion of judgment & order dated 18.06.2024 passed by the Manipur Lokayukta in Complaint Case No. 6 of 2021 and the same is extracted hereunder:

"A. The Director, Prosecution in the office of the Manipur Lokayukta is hereby directed under section 20(7) (a) of the Manipur Lokayukta Act 2014 to report for closure of the FIR. No. 3(08)2023 CB-PS u/s 403/406/420/120-B IPC & 13 PC Act arising from Complaint No. 6 of 2021 in the matter between Shri W. Shinglai, S/o NG. Shinglai, Profession- Social Activist, a resident of Kasom Khullen village Ukhrul/Kamjong, P.O. & P.S. Kamjong, Ukhrul District, Manipur- 795149 Versus Shri K Dickson, former ADC Chairman and 14 (fourteen) others to the Special Court designated for the Manipur Lokayukta. The persons against whom the above stated FIR is to be closed are –

- (i) Shri K Dickson, former ADC Chairman;*
- (ii) Shri M. Issac, former Vice Chairman (20- Phungyar DCC Segment) & former Executive members of the Executive Committee of ADC, Ukhrul;*
- (iii) Shri HS. Ngamsung (11-Khamasom DCC Segment);*
- (iv) Shri VL. Khayinghor (14-Tuinem DCC Segment);*
- (v) Shri Somimayar Awungshi (21- Shingkap DCC Segment);*
- (vi) Shri Kapangpam Zimik (6-Tolloi DCC Segment);*
- (vii) Shri Themreishang AS, former ADC Member (3-Chingai segment);*
- (viii) Shri S Thotasheng, former ADC Member (23-Kasom Khullen segment);*
- (ix) Shri H A Vareishang, former ADC Member (10- Ukhrul South segment);*
- (x) Smt Polly Makan, the then CEO;*
- (xi) Shri L. Raghmani Singh (EE);*
- (xii) Shri Kh. Okendro Singh (AE);*
- (xiii) Shri R.A. Ransing MSS, Under Secretary (TA&H) now Deputy Secretary;*
- (xiv) Shri Letkhogin Haokip, IAS (now Rtd), the then ACS of Department of TA&H, Govt. of Manipur and*
- (xv) Shri N. Kayisii (now MLA from Tadubi AC), the then Minister of TA&H, Govt. of Manipur."*

Mr. M. Rarry, learned special PP appearing for the respondent submits that as per Section 16 (1)(b) of the Manipur Lok Ayukta Act, 2014, a judicial member is required to be a part of the Bench to pass the present order. And as per Rules 25, the Lokayukta can only be recommended and cannot directed for disposing of a case in a particular manner.

Heard the learned counsels appearing for both parties.

Perused the relevant portion of the said judgment & order passed by Manipur Lokayukta in Complaint Case No. 6 of 2021.

However, as requested by Mr. M. Rarry, learned special PP for the respondent to list the matter on 23.08.2024.

List the matter on 23.08.2024.

Interim order is extended till the next date of hearing.

JUDGE

Thoiba