

(2021) 02 MAN CK 0001

In the Manipur High Court

Case No : Public Interest Litigation No. 49 Of 2020

L. Diamond & Ors

APPELLANT

Vs

Union Of India

RESPONDENT

Date of Decision : 04-02-2021

Acts Referred:

Manipur Public Servants' Personal Liability Rules, 2006 — Rule 4, 5, 6, 7
Manipur Public Servants' Personal Liability Act, 2006 — Section 4, 5, 7

Citation : (2021) 02 MAN CK 0001

Hon'ble Judges : Ramalingam Sudhakar, J;Ahanthem Bimol, J

Bench : Division Bench

Advocate : N.Jotendro Singh, N.Kumarjit, S.Suresh

Final Decision : Disposed Of

Judgement

[1] Heard Mr. N.Jotendro Singh, learned senior counsel for the petitioners. Also heard Mr. N.Kumarjit, learned Advocate General for the State

respondents and Mr.S.Suresh, learned ASG for the Union respondent No.1.

[2] The prayers in this PIL are as follows:-

ii. Issue a writ in the nature of mandamus or any other appropriate writ of the like nature for an appropriate direction to take necessary actions for

misappropriation of money of the Members of Parliament Local Area Development Scheme (MPLADS) while executing and implementing the public

utility services including the construction of Community Hall at Langol Tarung Village by releasing 2(two) sanctioned orders for the same set of works

by the 2 (two) Deputy Commissioners, Imphal West and Churachandpur which can be verified from the RTI reply dated 4/1/2020 and as such both

the Deputy Commissioners, Imphal West & Churachandpur are required to be booked by referring the matter Before the independent investigation

agency like CBI in order to find out the truth in the said illegal encashment and also book the Deputy Commissioners, Imphal West and

Churachandpur under Section 4 & 5 of the Manipur Public Servants' Personal Liability Act, 2006 read with Rule 4, 5 & 6 of the Manipur Public

Servants' Personal Liability Rules, 2006 by constructing High Power Committee under Section 7 of the said Act and also Rule 7 of the said Rules

as early as possible as on date no work also has been executed in connection with the construction of said community hall at Langol Tarung Village

however, the money have also already been encashed from public Exchequer couple with a prayer to direct the respondents to consider and dispose

of the representation dated 22/7/2020 pending final disposal of the instant petition within certain stipulated period;

iii) in the interim, direct the respondents to submit a detail reports regarding the execution/implementation of the public utility services including the

construction of Community Hall at Langol Tarung Village at various parts of the State of Manipur under the Members of Parliament Local Area

Development Scheme (MPLADS) of MC Mary Kom, Member of Parliament, Rajya Sabha for the year 2017-2018.;

or,

direct the respondents more particularly the respondents consider and disposed of the representation dated 22/7/2020 within a certain stipulated period

of time.â??

[3] The petitioners in this PIL have sought for taking disciplinary actions against the respondent No. 3, the Deputy Commissioner, Imphal West

District and the respondent No.4, the Deputy Commissioner, Churachandpur District for misappropriation of money from the Members of Parliament

Local Area Development Scheme (MPLADS) while executing and implementing various developmental works under the said Scheme under Section

4 and 5 of the Manipur Public Servants' Personal Liability Act, 2006 read with Rules 4, 5 and 6 of the Manipur Public Servants' Personal

Liability Rules, 2006 by constituting a High Power Committee under Section 7 of the said Act and Rule 7 of the said Rules. In this regard, the

petitioners have submitted a representation to the authorities on 22.07.2020, Annexure-A/4. However, the authorities have not acted on the said

representation till date.

[4] Heard Mr.N.Kumarjit, learned Advocate General for the State respondents as well as Mr.S.Suresh, learned ASG for the Union respondent who

submit that this PIL can be disposed of by directing the concerned respondents to dispose of the representation submitted by the petitioners.

Accordingly, the PIL is disposed of by directing the respondents concerned to dispose of the representation submitted by the petitioners on 22.7.2020

by passing a speaking order as early as possible preferably within a period of four months from the date of receipt of a certified copy of this order.

[5] Accordingly, the PIL stands disposed of. Copy of this order to be sent to the learned Advocate General and Mr. S.Suresh, learned ASG.