
(2021) 02 MAN CK 0042
In the Manipur High Court
Case No : Writ Petition (C) No. 113 Of 2021

Unemployed Youth Shopkeeper Assn	Vs	APPELLANT
State Of Manipur		RESPONDENT

Date of Decision : 19-02-2021

Acts Referred:

Citation : (2021) 02 MAN CK 0042

Hon'ble Judges : Kh. Nobin Singh, J

Bench : Single Bench

Advocate : Ng Jotindra Luwang, Ganendra Singh, Geetarani Waikhom, Y Nirmolchand, U Augusta

Final Decision : Disposed Of

Judgement

Heard Shri Ng. Jotindra, learned counsel appearing for the petitioner; Shri Th. Vashum, learned Government Advocate appearing for the State

respondent and Shri Y. Nirmolchand, learned Senior Advocate appearing for the respondent Nos. 2 and 3.

[1] By the instant writ petition, the petitioner association has prayed for issuing a writ of mandamus or any other appropriate writ to direct the

respondents to re-locate /rehabilitate the evicted shopkeepers and street vendors at the vacant space of Lamphel Super Market Area or in the

available vacant space or shops/stalls in Khwairamband Bazar area.

[2] The petitioner association is a registered association bearing Registration No. 3334 of 1981 and its members were occupying the strip of land on

the Western edge of the Family Welfare Road, East of the Old District Hospital by carrying on small business for more than 15 to 20 years. During

the President Rule, the State Government evicted them as encroachers causing

hardship to the members of the petitioner association. The demand of the petitioner association was that its 56 members deserved redressal by alloting place or shops for transaction of vending activities for their livelihood.

[3] The petitioner association approached the High Court by way of a writ petition being W.P. (C) No. 223 of 2006 which was disposed of on 23-05-

2013 with the direction to the respondents to enquire whether the members of the petitioner association were entitled to claim the benefits of scheme

and on verification, if the members were found to be eligible for grant of benefits, they should be extended to them. In compliance with the order dated

23-05-2013, the Mayor, Imphal Municipal Corporation issued an order dated 24-02-2018 to the effect that the members of the petitioner association

would be considered for allotment of shops/ stalls to transact vending activities as and when vacancies are available in future. Despite the order dated

24-02-2018 being issued by the Mayor, Imphal Municipal Corporation, no shops/ stalls have so far been allotted to the members of the petitioner

association. It may be noted at this juncture that the members of two other associations have been allotted shops/ stalls vide order dated 01-07-2015

issued by the Imphal Municipal Corporation while none of the members of the petitioner association was accommodated and rehabilitated.

[4] Being aggrieved by the inaction on the part of the Imphal Municipal Corporation, the petitioner submitted a representation dated 09-11-2020 to the

Mayor, Imphal Municipal Corporation for allotment of shops /stalls which is still pending for disposal. The members of the petitioner association are

now jobless and the members of their families are facing untold miseries in these days of scarcity and in addition to that, due to Covid-19 pandemic,

the members of the petitioner association have been put into indigent and pathetic conditions without any means of livelihood. According to the

petitioner association, there is enough space available at Khwairamband Bazar where the members of the petitioner association can be accommodated

but the Imphal Municipal Corporation has completely neglected the problems being faced by the members of the petitioner association.

[5] When the matter is taken up for consideration, it has been submitted by the learned counsel appearing for the petitioner that the instant writ petition

can be disposed of by issuing an innocuous order and accordingly, the writ

petition stands disposed of with the direction that the Imphal Municipal Corporation and in particular, the Mayor, IMC shall consider the representation dated 09-11-2020 submitted by the petitioner association within a period of one month from the date of receipt of a copy of this order by issuing a speaking order in respect thereof.

Copies of this order shall be sent to the counsels appearing for the parties through their WhatsApp/e-mail.