

ITEM NO.28

COURT NO.1

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 19206/2023

(Arising out of impugned final judgment and order dated 27-03-2023 in WP(C) No. 229/2023 passed by the High Court Of Manipur At Imphal)

DINGANGLUNG GANGMEI

Petitioner(s)

VERSUS

MUTUM CHURAMANI MEETEI & ORS.

Respondent(s)

(WITH IA No. 100067/2023 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 96003/2023 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 96000/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 147906/2023 - INTERLOCUTARY APPLICATION, IA No. 144564/2023 - INTERLOCUTARY APPLICATION, IA No. 155289/2023 - INTERVENTION APPLICATION, IA No. 100064/2023 - INTERVENTION/IMPLEADMENT, IA No. 155292/2023 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 96002/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 147907/2023 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA No. 96001/2023 - PERMISSION TO FILE PETITION)

WITH

Diary No(s). 19210/2023 (XIV)

(WITH IA No. 96006/2023 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 96004/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 96007/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 96005/2023 - PERMISSION TO FILE PETITION)

W.P.(C) No. 540/2023 (PIL-W)

(WITH IA No. 130954/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 115711/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 155266/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 103548/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 185454/2023 - CLARIFICATION/DIRECTION, IA No. 155582/2023 - INTERLOCUTARY APPLICATION, IA No. 154999/2023 - INTERLOCUTARY APPLICATION, IA No. 154824/2023 - INTERLOCUTARY APPLICATION, IA No. 154823/2023 - INTERLOCUTARY APPLICATION, IA No. 157612/2023 - INTERLOCUTARY APPLICATION, IA No. 100121/2023 - INTERVENTION APPLICATION, IA No. 195814/2023 - INTERVENTION APPLICATION, IA No. 144163/2023 - INTERVENTION APPLICATION, IA No. 142916/2023 - INTERVENTION APPLICATION, IA No. 155427/2023 - INTERVENTION/IMPLEADMENT, IA No. 104107/2023 - INTERVENTION/IMPLEADMENT, IA No. 104041/2023 - INTERVENTION/IMPLEADMENT)

W.P.(C) No. 572/2023 (PIL-W)
(WITH IA No. 144180/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 142744/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 104680/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 154993/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 104681/2023 - EXEMPTION FROM FILING O.T., IA No. 104131/2023 - GRANT OF INTERIM RELIEF, IA No. 142741/2023 - INTERVENTION APPLICATION, IA No. 154986/2023 - INTERVENTION APPLICATION, IA No. 196140/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

W.P.(C) No. 574/2023 (X)
(WITH IA No. 104941/2023 - EXEMPTION FROM FILING O.T., IA No. 104939/2023 - GRANT OF INTERIM RELIEF)

W.P.(C) No. 576/2023 (PIL-W)
(WITH IA No. 134039/2023 - CLARIFICATION/DIRECTION, IA No. 113486/2023 - CLARIFICATION/DIRECTION, IA No. 105227/2023 - GRANT OF INTERIM RELIEF)

W.P.(Crl.) No. 321/2023 (PIL-W)
(WITH IA No. 143696/2023 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

W.P.(Crl.) No. 327/2023 (X)
(FOR ADMISSION and IA No.146435/2023-APPROPRIATE ORDERS/DIRECTIONS and IA No.146436/2023-APPLICATION FOR FILING THE PETITION WITHOUT DISCLOSING THE IDENTITY OF THE PETITIONER/RESPONDENT)

W.P.(Crl.) No. 329/2023 (PIL-W)

W.P.(C) No. 841/2023 (X)
(FOR ADMISSION)

W.P.(C) No. 823/2023 (X)
(FOR ADMISSION)

W.P.(C) No. 802/2023 (X)
(WITH IA No. 154036/2023 - GRANT OF INTERIM RELIEF)

W.P.(C) No. 875/2023 (X)
(WITH IA No. 165144/2023 - EX-PARTE AD-INTERIM RELIEF)

CONMT.PET.(C) No. 1257/2023 (XIV)
(FOR ADMISSION)

Date : 15-12-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s)

Mr. Huzefa Ahmadi, Sr. Adv.
 Ms. Sumita Hazarika, AOR
 Mr. Lalgoulen Kipgen, Adv.
 Mr. Ajay Justice Shaw, Adv.
 Mr. Shahrukh Alam, Adv.
 Ms. Ankita Wilson, Adv.
 Ms. Rashmi Singh, Adv.

Mr. Ranjit Kumar, Sr. Adv.
 Mr. L.K. Paonam, Adv.
 Ms. Tomthinnganbi Koijam, Adv.
 Mr. Niraj Bobby Paonam, Adv.
 Mr. Elangbam Premjit Singh, Adv.
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Ms. Amrita Sarkar , AOR
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Ms. Vrinda Grover, Adv.
 Ms. Devika Tulsiani, Adv.
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 Ms. Akriti Chaubey, AOR

Mr. Nizam Pasha, Adv.
 Mr. Javedur Rahman, AOR
 Mr. Mudassir, Adv.

Petitioner-in-person

Mr. Jaideep Gupta, Sr. Adv.
 Mr. Sapam Biswajit Meitei, Sr. Adv.
 Mr. Ahanthem Henry, Adv.
 Mr. Ahanthem Rohen Singh, Adv.
 Mr. David Ahongsangbam, Adv.
 Mr. Mohan Singh, Adv.
 Ms. Rajkumari Banju, AOR

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 Ms. Aayushi Mishra, Adv.

Mr. Satya Mitra, AOR

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 Ms. Hetvi Patel, Adv.
 Mr. Kamei Kaoliangpou, Adv.

For Respondent(s) Mr. R Venkataramani, Attorney General for India
 Mr. Tushar Mehta, Solicitor General
 Mrs. Aishwarya Bhati, A.S.G.
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 Mr. Shuvodeep Roy, Adv.
 Mr. Pratyush Shrivastava, Adv.
 Mr. Chitvan Singhal, Adv.
 Ms. Sonali Jain, Adv.
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 Mr. Chitvan Shingal, Adv.
 Mr. Kartikey Aggarwal, Adv.
 Mr. Abhishek Kumar Pandey, Adv.
 Mr. Raman Yadav, Adv.

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 Mr. Ahantham Rohen Singh, Adv.
 Mr. Mohan Singh, Adv.
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Ms. Meenakshi Chauhan, AOR

Mr. Neeraj Kumar Gupta, AOR
Mr. Junior Ngangom, Adv.
Mr. Rahul Kumar Verma, Adv.
Mr. Shivang Srivastava, Adv.

Mr. K.Raghavacharyulu, Adv.
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Mr. Bibhu Dutta Das, Adv.

Ms. Bansuri Swaraj, Adv.
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Mr. Aditya Ranjan, AOR
Ms. Bijoylashmi Ds, Adv.
Ms. Tarjana Rai, Adv.

**UPON hearing the counsel the Court made the following
O R D E R**

1 In its ninth report dated 13 September 2023, the Court appointed Committee has made the following recommendations in regard to places of worship in Manipur, across all religious denominations:

- “iii) The State Government should immediately identify all religious buildings in the state (which would include Churches; Hindu temples; Sanamahi temples; Mosques and any building of any other religion) whether existing at present or vandalized/damaged/burnt in the violence which started on 03.05.2023.
- iv) The situs of these religious buildings be protected from encroachment and the buildings be protected from damage/destruction.”

2 The Chief Secretary of the State of Manipur has filed an affidavit dated 17 October 2023 as regards the direction for the identification of places of public worship which were vandalized, damaged or burnt in the violence which took place from May 2023. The affidavit states that:

- “a) That, in compliance of the direction mentioned in Para 4 (i) issued by this Hon'ble Court, the State has complied with the direction of the Three Judges Committee in the 9th Report and sought detailed reports from all Deputy Commissioners of all 16 Districts for identification of all religious buildings. The Deputy Commissioners have taken/are taking necessary steps for the process of assessment and reports/interim have been received from the districts. It may be noted that the said exercise for 14 districts out of the 16 districts is over and for the areas where the exercise is still ongoing, the same shall be completed at the earliest considering the sensitivity of the issue.”

3 It has been stated that the Home Department of the Government of Manipur has issued directions to all the Superintendents of Police to identify the properties where theft and looting occurred and to ensure the protection of such properties

with the assistance of security forces.

- 4 As regards the protection of the sites from encroachment, the affidavit contains the following statement:

“d) That, a report has been furnished by the Inspector General of Police (Admn) Manipur that the security coverage is provided to the identified religious buildings by way of frequent patrolling as well as deployment of security forces at the vulnerable locations...”

- 5 In order to further facilitate the exercise which is being carried out by the Committee, we issue the following directions:

- (i) The Government of Manipur shall, within a period of two weeks, furnish to the Court-appointed Committee a comprehensive list containing an identification of all religious structures in the State which has been carried out. The identification shall be across all religious denominations of the religious structures which have been damaged or destroyed; and
- (ii) The Government of Manipur shall apprise the Committee of the steps which have been taken to secure places of public worship.

- 6 Based on the exercise of identification which will be revealed to the Committee by the State Government, we permit the Committee to prepare a comprehensive proposal for the way forward including in regard to the restoration of the places of public worship which were damaged or, as the case may be, destroyed during the violence in the State of Manipur since the month of May 2023.

- 7 The Committee would be at liberty to take a comprehensive view of the matter encompassing supervening developments, including in regard to the illegal encroachments or occupation, if any, of any place of public worship. The Committee is at liberty to present its next report before this Court so that

suitable directions can be issued.

- 8 The Director General of Police of the State of Manipur shall coordinate with the Committee so that the interim suggestions of the Committee can be implemented without further delay.
- 9 Both Mr Tushar Mehta, Solicitor General, and Ms Aishwarya Bhati, Additional Solicitor General, assured the Court that necessary steps would be taken to ensure that those in the relief camps who wish to do so can observe Christmas.
- 10 Mr Jaideep Gupta, senior counsel, has submitted that the State of Manipur should also take requisite steps and formulate a policy in regard to the rehabilitation of persons whose houses were destroyed during the occurrence of violence in the State since the month of May 2023. In this regard, he states that he has filed two affidavits, indicating details.
- 11 The State of Manipur shall, after evaluating the situation which is portrayed in the above affidavits and after independently carrying out an assessment, bring out a comprehensive proposal/response, as the case may be, before this Court in regard to the rehabilitation of persons whose houses were destroyed or damaged since May 2023.
- 12 A copy of the proposals/response shall also be made available to the Court-appointed Committee so as to enable it to place its response before this Court along with the suggestions in regard to the way forward.
- 13 The remit of the Committee which was appointed by this Court for a period of two months shall stand extended for a further period of six months.

14 List the proceedings on 4 January 2024.

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR