

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

El. Petn. No. 5 of 2022

Yengkhom Surchandra Singh

... Petitioner

Vs.

Mayanglambam Rameshwar Singh & ors.

... Respondents

With

El. Recr. Petn. No. 6 of 2022

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

06-06-2023

As prayed for by Mr. N. Kumarjit, learned senior counsel appearing for the respondent No. 1 in El. Petn. No. 5 of 2022, list these cases again on 13-06-2023 for framing of issues. In the meantime, parties are directed to file their suggested issues without fail.

JUDGE

Devananda

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

MC(EI. Petn.) No. 11 of 2023

(Ref:- EI. Petn. No. 5 of 2022)

Yengkhom Surchandra Singh

... Applicant

Vs.

Mayanglambam Rameshwar Singh & ors.

... Respondents

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

06-06-2023

Heard Mr. N. Jotendro, learned senior counsel assisted by Syed Murtaza Ahmed, learned counsel appearing for the applicant and Mr. N. Kumarjit, learned senior counsel assisted by Mr. N. Zequeson, learned counsel appearing for the respondent No. 1 and Mr. M. Rakesh, learned counsel appearing for the respondent No. 4. None appeared for the other remaining respondents.

The present application had been filed with the prayer for granting leave to allow the present applicant to file his written objection to MC(EI. Petn.) No. 70 of 2022 raising preliminary objection regarding maintainability of the main election petition.

The objection raised by the respondent No. 1/ contesting respondent is that the said written objection had been filed after a delay of 146 days. The learned senior counsel, accordingly, submitted that the present application is not maintainable.

Mr. N. Jotendro, learned senior counsel appearing for the applicant submitted that due to some unavoidable circumstances, the written objection could not be filed within the prescribed time. It has also been submitted that the applicant is ready to pay cost for causing any difficulty to the respondent No. 1. The learned counsel also submitted that unless the present application is allowed and unless the applicant is allowed to file written objection to the said application raising maintainability of the main election petition, a grave prejudice will be caused to the present applicant.

After hearing the rival submission advanced by the learned counsel appearing for the parties and after careful consideration of the materials available on record, this court is of the considered view that the interest of justice will be served if the present application is allowed by imposing cost to the applicant. Accordingly, the present application is allowed and the applicant is allowed to file written objection to the said application subject to payment of cost of Rs. 15,000/- (rupees fifteen thousand) to be paid to the counsel appearing for the respondent No.1.

With the aforesaid direction, the present application is disposed of.

JUDGE

Devananda

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

MC(EI. Petn.) No. 70 of 2022

(Ref:- EI. Petn. No. 5 of 2022)

Mayanglambam Rameshwar Singh

... Applicant

Vs.

Yengkhom Surchandra Singh & ors.

... Respondents

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

06-06-2023

Mr. N. Kumarjit, learned senior counsel appeared for the applicant, Mr. N. Jotendro, learned senior counsel appeared for the respondent No. 1 and Mr. M. Rakesh, learned counsel appeared for the respondent No. 4.

As prayed for, list this case again on 13-06-2023 for consideration. In the meantime, the applicant is at liberty to file replication to the written objection, if so advised.

JUDGE

Devananda