

Item No. 11

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

**EI.Pet. No. 19 of 2022**

Oinam Lukhoi Singh

....Petitioner(s)

-Versus-

Khuraijam Loken Singh & Anr

....Respondent(s)

**BEFORE  
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

08.02.2023

Heard Mr. Ajoy Pebam, learned counsel appearing for the petitioner, Mr. S. Biswajit, learned counsel appearing for the respondent No. 1 and Mrs. Ayangleima, learned counsel for the respondent No. 2.

It has been submitted at the Bar that exchange of pleadings are complete and the matter can be fixed in the next week for framing of issues.

As prayed for, list this case again on 14<sup>th</sup> February, 2023 for framing of issues. In the meantime, learned counsel for the parties are directed to submit their written suggested issues on or before the next date.

**JUDGE**

kim

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

**EI.Recr.Pet. No. 29 of 2022**

Khuraijam Loken Singh

....Petitioner(s)

-Versus-

Oinam Lukhoi Singh & Anr

....Respondent(s)

**BEFORE  
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

08.02.2023

Heard Mr. S. Biswajit, learned counsel appearing for the petitioner, Mr. Ajoy Pebam, learned counsel appearing for the respondent No. 1 and Mrs. Ayangleima, learned counsel for the respondent No. 2.

It has been submitted at the Bar that exchange of pleadings are complete and the matter can be fixed in the next week for framing of issues.

As prayed for, list this case again on 14<sup>th</sup> February, 2023 for framing of issues. In the meantime, learned counsel for the parties are directed to submit their written suggested issues on or before the next date.

**JUDGE**

kim

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

**MC(EI.Pet.) No. 188 of 2022**

Khuraijam Loken Singh

....Applicant(s)

-Versus-

Oinam Lukhoi Singh & Anr

....Respondent(s)

**BEFORE  
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

08.02.2023

As prayed for by the learned counsel appearing for the parties, list this case gain on 14<sup>th</sup> February, 2023 for consideration and final disposal.

**JUDGE**

kim

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

**MC(EI.Pet.) No. 130 of 2022**

Oinam Lukhoi Singh

....Applicant(s)

-Versus-

Khuraijam Loken Singh & Anr

....Respondent(s)

**BEFORE  
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

08.02.2023

Heard Mr. Ajoy Pebam, learned counsel appearing for the applicant, Mr. S. Biswajit, learned counsel appearing for the respondent No. 1 and Mrs. Ayangleima, learned counsel for the respondent No. 2.

The present application has been filed seeking leave of this Court to allow the applicant to file his replication to the written statement filed by the respondent No. 1 in the connected election petition.

Learned counsel appearing for the respondent No. 1 raised objection to the filing of the said replication on the ground that certain new grounds, which were not pleaded in the election petition and certain new documents which were not enclosed in the election petition, have been brought in by the applicant in the said replication. Learned counsel for the respondent No. 1 vehemently submitted that as the applicant has brought in new grounds and new documents in the replication, the said replication deserves to be rejected. In support of his contention, learned counsel draws the attention of this Court to

the pleadings made in para No. 9 of the said replication. According to the learned counsel, the specific new grounds and documents brought in the said replication are as under:-

*“ and which is also called Bigamy. Bigamy in simple words, means a person marries for the second time while his first marriage is in subsistence. Under the marriage laws in India, Bigamy is said to be an offence if the first husband or wife is still alive.”*

*“Moreover, in the Socio-Economic Caste Census, 2011 Report, the name of the second wife namely Khuraijam Kahola Devi is also called as Kh. Sushila or Khuraijam Sushila and his son namely Khuraijam Sushil Singh are included as his spouse and his son at Sl. No. 8894 and 8895 under TIN NPR Nos. 171406004702400060063029005 and 171406004702400060063029006 respectively and moreover, the name of family members of the respondent No. 1 which are reflected in the SECC, 2011 Report are reproduced below table for easy reference.*

**SECC – 2011 REPORT**

*Thongkhong Laxmi Nagar Panchayat, Imphal West.*

| Sl. No | TIN NPR                     | Name                   | Relation |
|--------|-----------------------------|------------------------|----------|
| 8890   | 171406004702400060063029001 | Khuraijam Loken Singh  | Head     |
| 8891   | 171406004702400060063029002 | Khuraijam Nganbi Devi  | Wife     |
| 8892   | 171406004702400060063029003 | Khuraijam Sanjit Singh | Son      |
| 8893   | 171406004702400060063029004 | Khuraijam Ranjana Deiv | Daughter |
| 8894   | 171406004702400060063029005 | Khuraijam Kahola Devi  | Wife     |
| 8895   | 171406004702400060063029006 | Khuraijam Sushil Singh | Son      |

*The answering Election Petitioner craves leave of the Hon'ble Court for allowing to file the whole data of SECC, 2011 Report of Thongkhong Laxmi Nagar Panchayat, Imphal West in the Pendrive as it is difficult for the answering Election Petitioner to submit in the form of hard copy of whole data however, relevant portion of the type copy are enclosed along with the present Replication."*

The learned counsel appearing for the respondent No. 1 submitted that the above quoted pleadings are new grounds raised by the applicant for the first time in the replication and that the documents filed by the applicant along with the said replication were not filed along with the election petition and the same has been newly brought in with the said replication which is impermissible in law.

Mrs. Ayangleima, learned counsel appearing for the respondent No. 2 submitted that she has no objection in allowing the present application.

Mr. Ajoy Pebam, learned counsel for the applicant fairly admitted that the pleadings with regard to Bigamy was not pleaded in the election petition, however, as far as the remaining pleadings which had been quoted above are concerned, it has been submitted by the learned counsel for the applicant that the applicant gave concise statement of the material facts in the election petition with regard to the second wife of the respondent No. 1 and that the pleadings made by the applicant in his replication are not new grounds as the same have been already made by the applicant in his election petition in para No. 14 of the election petition. It has also been submitted by the learned counsel for the applicant that the above quoted pleadings are

elaboration or the particulars of the material facts pleaded by the petitioner in the election petition and accordingly, there is no substance in the objection raised by the learned counsel for the respondent No. 1.

After hearing the rival arguments advanced by the learned counsel appearing for the parties and on careful examination of the record, this Court is of the considered view that there is substance in the argument advanced by the counsel for the respondent No. 1 with regard to the pleadings of Bigamy and since the learned counsel for the applicant has also fairly admitted such facts, this Court is of the considered view that the above quoted pleadings with regard to Bigamy needs to be deleted and accordingly, it is hereby ordered that the following pleadings shall stand deleted from the replication filed by the applicant :- *“ and which is also called Bigamy. Bigamy in simple words, means a person marries for the second time while his first marriage is in subsistence. Under the marriage laws in India, Bigamy is said to be an offence if the first husband or wife is still alive.”*

As far as the remaining pleadings which has been quoted herein above are concerned and the objection raised by the counsel for the respondent No. 1 with regard to permissibility of filing new documents, this Court is of the considered view that the counsel for the respondent No. 1 has failed to point out any relevant provisions of law or case laws, that giving elaborate particulars of the material facts, pleaded by the petitioner in the election petition, in the replication is not permissible and accordingly, this Court is of the considered view that there is no substance in the objection raised by the counsel for the

respondent No. 1. In the result, the present application is allowed.  
Registry is directed to place the replication in the relevant record.  
Misc case stands disposed of.

**JUDGE**

kim