

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

El. Petn. No. 35 of 2022

Kshetrimayum Kennedy Singh

... Petitioner

Vs.

Mayanglambam Rameshwar Singh & ors.

... Respondents

With

El. Recr. Petn. No. 24 of 2022 &

MC(El. Petn.) No. 13 of 2023

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

28-03-2023

As prayed for by the learned counsel appearing for the parties, list these cases again on 10-04-2023.

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JUDGE

Devananda

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

MC(EI. Petn.) No. 213 of 2022

(Ref:- El. Petn. No. 35 of 2022)

Mayanglambam Rarmeshwar Singh

... Applicant

Vs.

Kshetrimayum Kennedy Singh & ors.

... Respondents

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

28-03-2023

Heard Mr. N. Kumarjit, learned senior counsel assisted by Mr. N. Zequeson, learned counsel appearing for the applicant, Mr. M. Rakesh, learned counsel appearing for the respondent No. 1 and Mr. N. Jotendro, learned senior counsel assisted by Syed Murtaza Ahmed, learned counsel appearing for the respondent No. 4.

In view of the order passed today in the connected MC(EI. Petn.) No. 218 of 2022, the present application is hereby closed.

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JUDGE

Devananda

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

MC(EI. Petn.) No. 218 of 2022

(Ref:- El. Petn. No. 35 of 2022)

Kshetrimayum Kennedy Singh

... Applicant

Vs.

Mayanglambam Rarmeshwar Singh & ors.

... Respondents

**B E F O R E
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

28-03-2023

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

The present application had been filed praying for granting leave to the applicant to file his written objection to the misc. application being MC(EI. Petn.) No. 73 of 2022 filed by the respondent No.1 raising preliminary objection to the maintainability of the election petition filed by the applicant.

It has been submitted by Mr. N. Kumarjit, learned senior counsel appearing for the respondent No. 1/contesting respondent that the applicant had filed the said written objection beyond 90 days and no sufficient reason had been given by the applicant explaining the delay in filing the said written objection. The learned senior counsel further submitted that since no sufficient reason had been given explaining the delay in filing the said written objection, the present application is liable to be rejected.

Mr. M. Rakesh, learned counsel appearing for the applicant submitted that the delay in filing the said written objection was caused due to time taken in making inquiries, consultations, preparations and other clerical tasks and also in verification and obtaining various documents from the concerned authorities/Department and that by allowing the present application and permitting the applicant to file his written objection will not cause any prejudice to any of the parties including the contesting

respondent No. 1 and that if the prayer of the applicant is not allowed and if he is not allowed to file his written objection to the misc. application raising maintainability of the election petition, a grave loss and injury will be caused to the present applicant. The learned senior counsel further submitted that the present applicant has no intention to delay any of the proceedings and that since he is the petitioner himself challenging the election of the respondent No. 1, he has no reason for delaying any of the proceedings in connection with the said election petition. The learned counsel further submitted that the applicant is willing and ready to pay cost to compensate any difficulty caused to the respondent No. 1.

After hearing the submissions advanced by the learned counsel appearing for the parties and after careful perusal of the record, this Court find sufficient reason for condoning the delay in filing the aforesaid written objection filed by the applicant in connection with MC(EI.Petn.) No. 73 of 2022. This court is also of the considered view that if the present application is not allowed, a grave injury and irreparable loss will be caused to the present applicant. However, since some inconvenience had been caused to the respondent No. 1 by filing of the present application, it will be appropriate to allow the present application subject to payment of cost of Rs. 15,000/- (rupees fifteen thousand) to be paid by the applicant to the counsel appearing for the respondent No. 1 within a period of two weeks from today.

With the aforesaid directions, the present application is allowed.

Registry is directed to place on record the written objection filed by the applicant in the connected misc. application.

The present application stands disposed of.

JUDGE

Devananda

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

MC(EI. Petn.) No. 24 of 2023

(Ref:- EI. Petn. No. 35 of 2022)

Kshetrimayum Kennedy Singh

... Applicant

Vs.

Mayanglambam Rarmeshwar Singh & ors.

... Respondents

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

28-03-2023

Mr. M. Rakesh, learned counsel appearing for the applicant seeks one weeks' time for filing replication to the written objection filed by the respondent No. 1.

As prayed for, list this case again on 10-04-2023.

JUDGE

Devananda

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

MC(EI. Petn.) No. 73 of 2022

(~~Ref~~:- El. Petn. No. 35 of 2022)

Mayanglambam Rarmeshwar Singh

... Applicant

Vs.

Kshetrimayum Kennedy Singh & ors.

... Respondents

**B E F O R E
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

28-03-2023

Mr. N. Kumarjit, learned senior counsel assisted by Mr. N. Zequeson, learned counsel appearing for the applicant seeks two weeks' time for filing replication to the written objection filed by the respondent No. 1.

As prayed for, list this case again on 10-04-2023.

JUDGE

Devananda