

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

MC(El. Petn.) No. 19 of 2024

(Ref:- El. Petn. No. 19 of 2022)

Shri Oinam Lukhoi Singh

... Applicant

Vs.

Khuraijam Loken Singh & anr.

... Respondents

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

O R D E R

14-05-2024

Heard Mr. Riananda, learned counsel appearing for the applicant; Mr. S. Biswajit, learned senior counsel appearing for the respondent No. 1 and Mrs. L. Ayangleima, learned counsel appearing for the respondent No. 2.

The present application had been filed in terms of the order dated 07-05-2024 passed by the Hon'ble Apex Court in Civil Appeal No. 6110 of 2024, wherein the Hon'ble Apex Court gave the following directions:-

- (i) The High Court shall permit respondent No. 1 to amend the Election Petition to delete para No. 34 from there in its entirety.***
- (ii) Consequently, the issue, if any, already framed by the High Court, regarding the commission of corrupt practices by the appellant, shall be deemed to have been set aside/ recalled.***
- (iii) The parties shall again be heard on the question of whether respondent No. 1 has made necessary averments in support of his plea of corrupt practices allegedly adopted by the appellant.***
- (iv) If the High Court finds that the requisite averments to that effect have been made, the High Court may re-frame the issue of corrupt practices and proceed further as per law. However, if the High Court finds that after deletion of para No. 34, the Election Petition lacks any material averment with regard to the allegation of corrupt practices, there would be no need to frame the issue, as observed above."***

By the present application, the applicant is praying for allowing him to delete para. 34 of the connected Election Petn. No. 19 of 2022 and to allow him to file a recast petition of the said election petition.

Mr. S. Biswajit, learned senior counsel appearing for the contesting respondent fairly submitted that as the present application has been filed in terms of the order passed by the Hon'ble Apex Court, he has no objection in allowing the present application.

In view of the submission made by the counsel appearing for the parties, the present application is hereby disposed of by allowing the present applicant to delete para. 34 of the aforesaid Election Petition and also to file a recast petition of the said election petition. The said recast petition should be filed within ten days from today.

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

JUDGE

Devananda

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DEVANANDA
SINGH
Date: 2024.05.14
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IN. 34 & 36

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

El. Petn. No. 19 of 2022

Shri Oinam Lukhoi Singh

... Petitioner

Vs.

Khuraijam Loken Singh & anr.

... Respondents

With

**El. Recr. Petn. No. 29 of 2022 &
MC(El. Petn.) No. 33 of 2023**

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

O R D E R

14-05-2024

As prayed for by the counsel appearing for the parties, list these cases again on 04-06-2024.

JUDGE

Devananda