

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

MC(EI. Petn.) No. 33 of 2023

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

Khuraijam Loken Singh

... Applicant

Vs.

Oinam Lukhoi Singh & anr.

... Respondents

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

O R D E R

05-09-2024

Heard Mr. S. Biswajit Meitei, learned senior counsel assisted by Ms. N. Prista, learned counsel appearing for the applicant and Mr. Ajoy Pebam, learned counsel appearing for the respondent No. 1. None appeared for the respondent No. 2, despite service of notice.

The present application has been filed raising objection to the filing of the new documents by the respondent No. 1, who is the petitioner in the connected election petition, in connection with the EI. Petn. No. 19 of 2022.

It is the case of the applicant that after framing of the issues on 14-03-2023, this court directed the parties to file their documents and list of witnesses to be relied on by them. The learned senior counsel appearing for the applicant submitted that by taking advantage of the order passed by this court, the election petitioner filed as many as seven new additional documents. The said documents are as under:-

- i) Personal copy of the application dated 23.3.2023 submitted to the Executive Officer, Thongkhong Laxmi Municipal Council, Imphal West District, Manipur whereby requesting for providing the certified copy of the information of Waste

Subscriber Card issued in the name of Khuraijam Sushil Singh S/o Khuraijam Loken Singh, (Hon'ble MLA, Wangoi A/C).

- ii) Original Letter being No.12/02/2021-TLMC (Misc) dated 23.03.2023 written by Executive Officer, Thongkhong Laxmi Municipal Council whereby giving information of Waste Subscriber Card in respect of Khuraijam Sushil Singh S/o Khuraijam Loken Singh, (Hon'ble MLA, Wangoi A/C).
- iii) Personal copy of the Application dated 23.03.2023 submitted to the Executive Officer, Thongkhong Laxmi Municipal Council, Imphal West District, Manipur whereby requesting for providing the certified copy of the information of Waste Subscriber Card issued in the name of Khuraijam Loken Singh, (Hon'ble MLA, Wangoi A/C).
- iv) Original Letter being No.12/2/2021-TLMC(misc) dated 23/03/2023 written by Executive Officer, Thongkhong Laxmi Municipal Council whereby giving information of Waste Subscriber Card in respect of Khuraijam Loken Singh, (Hon'ble MLA, Wangoi A/C).
- v) Personal copy of the Application dated 23/03/2023 submitted to the SDO, Wangoi whereby requesting for providing the certified copy of the information of Homestead Land/s recorded in the name of Khuraijam Sushil Singh S/O Khuraijam Loken Singh, (Hon'ble MLA, Wangoi A/C) within the Wangoi Circle.
- vi) Personal copy of the Letter being No. SDC/RO/WGI-MI (I/W) SAE/2022 dated 23/03/2023 which is written by the SDO, Wangoi to the SDC, Wangoi.

vii) Original Letter being No.2/SDC/IW/W/WGI/2017/18 dated 24/03/2023 written by the Sub-Deputy Collector, Wangoi, Imphal West whereby giving information of homestead Land/s recorded in the name of Khuraijam Sushil Singh S/O Khuraijam Loken Singh, (Hon'ble MLA, Wangoi A/C) within the Wangoi Circle.

According to the learned senior counsel, Order VII Rule 14(3) provides that if new additional documents which were not annexed or filed along with the plaint, the same can be filed only by taking leave of the court. It has also been submitted that the respondent No. 1/ plaintiff filed the aforesaid seven new additional documents without taking any leave from this court. The learned senior counsel, accordingly, prays for rejecting the said documents.

Mr. Ajoy Pebam, learned counsel submitted that the respondent No. 1/ election petitioner may be allowed to withdraw the aforesaid seven new documents by granting leave to the respondent No. 1/ election petitioner to file the said seven documents after taking leave of this court.

In view of the submission made above, the present application is disposed of by allowing the respondent No. 1/ election petitioner to withdraw the above-mentioned original seven new documents filed by him in connection with the election petition with the liberty to file the same after seeking leave of this court.

Misc. case stands closed.

JUDGE

Devananda

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

El. Petn. No. 19 of 2022

Oinam Lukhoi Singh

... Petitioner

Vs.

Khuraijam Loken Singh & anr.

... Respondents

With

El. Recr. Petn. No. 29 of 2022

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

O R D E R

05-09-2024

Registry is directed to place the record of these cases before the appointed Advocate Commissioner for further examination of the witnesses.

JUDGE

Devananda

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**IN THE HIGH COURT OF MANIPUR
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MC(EI. Petn.) No. 33 of 2024
(Ref:- EI. Petn. No. 19 of 2022)

Khuraijam Loken Singh & anr.
Vs.

... Applicant

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... Respondent

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

O R D E R

05-09-2024

Heard Mr. S. Biswajit Meitei, learned senior counsel assisted by Ms. N. Prista, learned counsel appearing for the applicant and Mr. Ajoy Pebam, learned counsel appearing for the respondent.

The present application has been filed with the prayer for early hearing of the connected MC(EI. Petn.) No. 33 of 2023.

As the said application is being taken up today and considered on merit, the learned senior counsel prays for closing this application.

In view of the submission made above, the present application is hereby closed.

JUDGE

Devananda