

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

MC(Rev.Pet.(J2) No. 4 of 2024

with

MC(Rev.Pet.(J2)) No. 3 of 2024

with

MC(Review.Pet.) No. 12 of 2024

with

Review.Pet. No. 9 of 2024

with

MC(Review.Pet.) No. 13 of 2024

with

Review.Pet. No. 10 of 2024

Chief Electoral Officer

Petitioner/Applicant

Vs.

Kakyenpaibam Muktasana Singh & 5 ors.

Respondents

BEFORE

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

23.01.2025

Heard Mr. A. Jagjit, learned counsel appearing for the petitioner/applicant.

Heard also Mr. P. Tomcha, learned counsel; Mr. Y. Ibomcha, learned counsel; Mr. S. Biswajit, learned senior counsel; Mr. K. Modhusudon, learned counsel; Mr. H. Tarunkumar, learned senior counsel; and Mr. Vijayanand Sharma, learned Sr. PCCG, appearing for the respondents.

This batch of review petitions along with the connected applications had been filed with a prayer for reviewing the common order dated 27.06.2024 passed by this Court in WP(C) No. 826 of

2023, WP(C) No. 840 of 2023 and CRP(CRP.Art.227) No. 55 of 2023.

By the said order, the following direction has been given:-

"In view of the above submission and as agreed to by all the counsel appearing for the parties, the present two writ petitions and as well as the connected Civil Revision Petition are hereby disposed of with the following directions:-

- (a) The Chief Electoral Officer, Manipur (respondent No. 2) is hereby directed to hold an election for election of a full-fledged President of the Manipur People's Party strictly in terms of the provisions as provided under the Constitution of the Manipur People's Party and the Election Rules of the Manipur People's Party, 1992 and amendments made thereto;*
- (b) The whole process of election including the Notification of the election result should be completed within a period six months from today.*
- (c) If for any reason, the Chief Electoral Officer cannot complete the process of election of a full-fledged President of the Manipur People's Party in terms of the direction given above, he is at liberty to approach this court for seeking extension of time.*

Needless to mention here that till the completion of the election of a full-fledged President of the Manipur People's Party in terms of the direction given herein above, the present interim President shall continue

With the aforesaid directions, the present cases are hereby disposed of.

Interim order passed earlier stands vacated."

It has been submitted by Mr. A. Jagjit, learned counsel appearing for the petitioner/applicant that the Election Commission of India and more particularly, the Chief Electoral Officer is empowered under the Constitution of India to hold and supervise election only in respect of Members of Parliament, President of India, Vice-President of India and Members of the Legislative Assembly of

the State. As the Election Commission of India or the Chief Electoral Officer is not authorized or empowered to supervise or hold election in respect of the local bodies, they have no authority or jurisdiction to comply with the aforesaid direction given by this Court. Hence, the present review petition.

All the learned counsel appearing for the parties are all in agreement and jointly submitted that the operative portion of the direction given by this Court, which has been quoted hereinabove, can be suitably modified to address the grievances raised by all the parties in the present proceeding.

The learned counsel appearing for the parties unanimously submitted that instead of Chief Election Officer, Manipur, the Registrar of Societies or any Officer nominated by him can supervise and conduct the election of a full-fledged President of the Manipur People's Party in terms of the provisions under the Constitution of Manipur People's Party and the Election Rules of the Manipur People's Party, 1992 and amendment made thereto.

Taking into consideration the united stands of the parties, this Court is of the considered view that it will be in the ends of justice to modify the order passed earlier by this Court. Accordingly, it is hereby directed that the operative portion of the order, which has been quoted hereinabove, is modified as follows:-

- (a) The Registrar of Societies, Manipur or any Official authorized by him is hereby directed to hold an election for election of a full-fledged President of the Manipur People's Party strictly in terms of the provisions of the

Constitution of the Manipur People's Party and the Election Rules of the Manipur People's Party, 1992 and amendment made thereto;

- (b) The whole process of election including the Notification of the election result should be completed as soon as possible but not later than 15.03.2025;

Needless to mention here that till the completion of the election of a full-fledged President of the Manipur People's Party in terms of the direction given herein above, the present interim President shall continue.

This order has been passed as a consensus order amongst all the parties.

It is also made clear that to the extent indicated hereinabove, the earlier order dated 27.06.2024 passed by this Court in WP(C) No. 826 of 2023, WP(C) No. 840 of 2023 and CRP(CRP.Art.227) No. 55 of 2023 stands modified.

With the aforesaid direction, all the present batch of cases stands disposed of.

JUDGE

Indrajeet