

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

**Mat.App. No. 8 of 2025**

Nejolata Haobijam

***Appellant***

**Vs.**

Ranjan Yumnam

***Respondent***

***Clubbed with MC(Mat.App.) No. 10 of 2025***

BEFORE  
**HON'BLE THE CHIEF JUSTICE MR. KEMPAIAH SOMASHEKAR  
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

**ORDER**  
***(K. Somashekar, C.J.)***

**08.07.2025**

[1] Heard Mrs. I. Lenibala, learned counsel for the applicant/petitioner and Mr. M. Hemchandra, learned senior counsel for the respondents.

[2] Whereas the proceeding in MC(Mat.App.) No. 10 of 2025 has been filed by the applicant as under Order 43 Rule 1(r) of the Code of Civil Procedure (CPC) and whereby in that proceeding, seeking for quashment and also setting aside the order dated 02.07.2025 passed by the Family Court, Imphal East at Lamphelpat in Judl. Misc. Case No. 230 of 2024 (Ref:- Mat. (R&C) Suit No. 7 of 2024)

[3] The instant petition has been filed by the applicant in this matter seeking for intervention of the impugned orders rendered by the Family Court dated 02.07.2025 and also urging the various grounds.

[4] The petitioner herein alongwith the minor children namely, Master Ranej Yumnam (son), now aged about 12 years and Miss Nejirin Yumnam (daughter) now aged about and 7 years 6 months respectively and the same is also disclosed in the contention, which has been taken in this proceeding for seeking intervention of the impugned orders which has been rendered by the Family Court. However, the main proceeding in Mat. (R&C) Suit No. 7 of 2024 is pending for consideration of issues in between the parties in that proceeding and therefore, it is appropriate that without expressing any opinion on merits of this matter, it is deemed appropriate to state that the impugned orders rendered by the Family Court in Judicial Miscellaneous Case No. 230 of 2024 dated 02.07.2025 is hereby stayed till the next date of hearing as wherein the issues in between the husband and the wife and more so, the children could not be suffered in their ends.

[5] However, keeping in view the issues in between them, it is deemed appropriate to refer the scope of Section 151 of the Code of Civil Procedure (CPC) that there is no limit to exercise the inherent power, either effecting or affecting any orders under the scope, that is the first limb of the said provision of law, the second limb of the said provision of law relating to preventing the abuse of process of law, whereas the third limb of the said provision of law is securing the ends of justice, the aforesaid

limb of the said provision of law are applicable to both the parties in the proceeding.

[6] Therefore, keeping in view the provision of Section 151 of CPC as well as the issues in between the petitioner and the respondents are concerned, it is deemed appropriate that the impugned order which has been rendered by the Family Court dated 02.07.2025 in Judl. Misc. Case No. 230 of 2024 is hereby stayed till the next date of hearing.

[7] Accordingly, this miscellaneous case proceeding is hereby disposed of.

[8] However, keeping in view the submission made by the learned senior counsel for the respondents and equally the submission made by the learned counsel for the applicant/petitioner as well as the proceeding has been initiated keeping in view the provision of Order 43 Rule 1 (r) of CPC are concerned, and more so, keeping in view the provision of Order 10 of CPC, the matter is required to be referred to the Mediation Centre for adjudicating process in between the applicant and the respondent.

[9] Accordingly, this matter would be referred to the Mediation Centre at Imphal in the High Court of Manipur and both the applicant/petitioner and the respondent respectively being in the rank of the parties be present physically before the Mediation Centre which is scheduled on 9<sup>th</sup> July, 2025 at 1:00 p.m.

[10] In the meanwhile, the Registry be directed to forward certain materials to the Mediation Centre for the purpose of reference.

[11] In the meanwhile, learned senior counsel Mr. M. Hemchandra for the respondent is referring to provision of Section 19(1) of the Family Courts Act, 1984 and also further forcefully submitting that whether this appeal is maintainable or not, but these are all the submissions which is made by the learned senior counsel is taken on record.

[12] However, the appeal is nothing but as continuity of the proceeding and more so, this appeal has been preferred by the appellant relating to challenging the orders rendered by the Family Court in Judl. Misc. Case No. 230 of 2024 dated 02.07.2025. However, the proceeding has been initiated by the petitioner and the respondents therein relating to the child's custody, whereas the petitioner and the respondent knowing that they are the parents and therefore, keeping in view the status of the parties in this appeal and also keeping in view the protection of the children rights are concerned, it is deemed appropriate that the impugned order which has been rendered by the Presiding Officer of the Family Court in Judl. Misc. Case No. 230 of 2024 dated 02.07.2025 is hereby stayed even on this count also.

[13] However, the learned senior counsel for the respondent in this matter is referring even to certain judgments also, that judgment is to be the guidelines. However, keeping in view the provision of Section 151 of the CPC that no limit to exercise the inherent power but the inherent power in the second limb of the said provision of law indicates as to preventing the abuse the process of law, that is applicable to both the parties. However,

both the parties in the proceedings being the wife and the husband and they are in the rank of the petitioner and the respondent before the Family Court respectively. Accordingly, made an observation.

[14] Consequently, the stay has been granted as sought for in the aforesaid proceeding till the next date of hearing, accordingly ordered.

*Sushil*

**JUDGE**

**CHIEF JUSTICE**