

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

W.P.(C) No. 544 of 2023

Salam Deven Singh

... Petitioner

- Versus -

State of Manipur & 3 Ors.

... Respondents

B E F O R E
HON'BLE THE CHIEF JUSTICE MR. K. SOMASHEKAR
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

O R D E R
[K. Somashekar, CJ]

11.06.2025

[1] Heard Mr. Deepak Prasad Sahu, learned counsel appearing for the applicants in the proceeding of MC[W.P.(C)] No. 232 of 2023 and Ms. Lekhakumari, learned counsel appearing for the respondents No. 1 to 18 in the aforesaid proceeding wherein, an application has been filed for impleading the applicants as party respondents in the connected W.P.(C) No. 544 of 2023 wherein, the learned Deputy Advocate General, Manipur represents the State.

[2] Whereas, the learned counsel for the respondents is filing objection in details for referring the materials. However, this application has been filed even for not referring to Provision of Order – I Rule 10 of CPC.

[3] But, in a given peculiar facts of the case is concerned, it is deemed appropriate to refer to Order – I Rule 10 of CPC, where a suit

has been instituted in the name of the wrong person as plaintiff or where it is doubtful whether it has been instituted in the name of the right plaintiff, the Court may at any stage of the suit, if satisfied that the suit has been instituted thought a bona fide mistake, and that it is necessary for the determination of the real matter in dispute so to do, order any other person to be substituted or added as plaintiff upon such terms as the Court thinks just.

[4] However, this application has been filed even not referring to Order – I Rule 10 of CPC for impleading applicants in the rank of party respondents in the connected writ petition as initiated under Article 226 of the Constitution of India.

[5] Whereas, Order – I Rule 10 of CPC indicates that it enables the Court to add a person as a party in a proceeding whose presence before the Court is necessary in order to enable effectively and completely adjudicate upon and secure all the persons involved in the suit, avoidance of the multiplicity in the proceedings is also necessary under the said provision of law.

[6] However, this application is appended to an affidavit. In para – I of the affidavit, wherein it is indicating that this application is accompanying an affidavit in this miscellaneous proceeding and as such, it will acquaint with the facts of the case, and therefore, swearing this affidavit on his behalf or also behalf of the other applicant.

[7] Therefore, in view of the reasons stated in the application and also keeping in view of the affidavit, it is deemed appropriate that the miscellaneous application i.e. MC[W.P.(C)] No. 232 of 2023 is considered in the interest of justice.

[8] In the meanwhile, the learned counsel appearing for the applicants in this matter be directed to carry out the amendment in the rank of the parties in the proceedings of W.P.(C) No. 544 of 2023. Thereafter, the learned counsel for the applicant be directed for submitting the amended cause title in respect of the rank of parties in the connected original writ proceeding.

[9] Accordingly, the miscellaneous application proceeding i.e. MC[W.P.(C)] No. 232 of 2023 is hereby disposed of.

[10] In the meanwhile, while disposing of the miscellaneous application proceeding, the learned counsel appearing for the respondents is seeking for extension of the interim order granted earlier in the connected original writ proceeding.

[11] Keeping in view of the submission made by the learned counsel appearing for the respondents, it is deemed appropriate that if there is any interim order granted earlier, the same shall be extended till the next date of hearing of the original petition.

[12] List the original writ petition i.e. W.P.(C) No. 544 of 2023 on 21.07.2025.

JUDGE

CHIEF JUSTICE

Bipin