

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL
CRP(C.R.P Art.227) No.50 of 2024
With
MC(CRP(CRP Art.227) No.87 of 2024**

Luminthang Telien Kom

Petitioner/s

Vs.

Neichimyang Leivon and 2 Ors.

Respondent/s

BEFORE
HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR

(ORDER)

16.09.2025.

Captioned main CRP has been filed by resorting to Article 227 of Constitution of India.

2. It is a case of discordant matrimony, husband is the revision petitioner and wife is the respondent.
3. Wife sought for maintenance under section 125 Cr.P.C the matter was referred to Lok Adalat under the aegis of Manipur State Legal Services Authority and an award dated 10.09.2022 came to be made. Reproduction of this award is as follows :

ORDER

Dated, the 10th September, 2022

The case is put up today. Both the parties appear with their respective Counsels before the Special Lok Adalat and have discussed thoroughly about the case.

Both the parties have agreed on the following terms and conditions, i.e.,

1. That, as per the customary law, the petitioner and the respondent shall have a reunion program at the house of the petitioner in the presence of the parents of the respective parties within the month of October, 2022.
2. The Opp. Parties/respondents shall treat the petitioner with love, affection and care in the future and shall also provide for all their needs.
3. The parties shall live together as husband and wife at the place where the respondent may reside

The term and conditions are lawful. Hence accepted.

The case between the parties is disposed on the terms and conditions aforementioned.

Case record is return to the concern court.

Announced.

4. There is no disputation that post award there was customary reunion but wife is not living with husband at the place where he is residing, in this regard while the case of wife is that the husband is in-relationship with another person, the same is stoutly denied by the husband and this Court refrains itself from expressing any view of opinion on this disputation in this order.

5. Reverting to captioned CRP at hand, wife launched an execution petition seeking execution of aforementioned 10.09.2022 Lok Adalat award. This execution was resisted by husband primarily on the ground that the wife is not residing with him. In this execution, the Family Court at Manipur made an order dated 03.09.2024 (impugned order) vide which The Family Court resorted to section 10(3) Family Courts Act, 1984 and awarded maintenance of Rs. 15,000/- (Rupees Fifteen thousand only) in all (Rs. 7,000/- to the wife, Rs. 5,000/- to 8 years old son and Rs. 3,000/- to 4 years old daughter).
6. In the hearing today, Mr. Julius D. Riamei, learned counsel for the revision petitioner/husband and Mr. O. Kiranjit, learned counsel for the respondent/wife are before this Court.
7. There is no dispute that the wife is living at her parental home but the dispute is only about the reason for wife not living with her husband in accordance with Lok Adalat's award about which there is allusion supra.
8. The learned counsel for husband submits that husband will be now either launching an execution petition qua award dated 10.09.2022 made by Lok Adalat (wife to reside with him clause) or file a petition for restitution of conjugal rights. Let the same be done within four weeks from today i.e., 14.10.2025. The execution launched by the wife will thereafter stand resuscitated and both executions will be decided together by the Family Court.

9. In the interregnum, while the direction of the Family Court to pay Rs.7,000/- per month to the wife is set-aside, the direction to pay Rs.5,000/- per month to 8 years old son is enhanced to Rs.6,000/- per month and sustained, likewise the direction to pay Rs.3,000/- per month to the 4 years old daughter is increased to Rs.4,000/- and sustained. The enchantments are prospective and both sides fairly submitted that maintenance upto date has been paid.
10. Payment of maintenance to the wife will be decided afresh while deciding the execution petition of husband and wife together.
11. If the husband does not either launch execution petition or file a petition for restitution of conjugal rights within afore-referred time frame the Impugned order will get sustained and wife will be entitled to Rs.7,000/- per month maintenance albeit with enhancement of maintenance for young son and young daughter.
12. This Court has also taken note of the fact that husband is employed as Asstt. Engineer in Water Resource Department, Government of Manipur and he is drawing a salary well over Rs.70,000/- per month.
13. Mode of payment and other details will remain the same.
14. Captioned CRP is disposed of in aforesaid manner.
15. Consequently captioned MC is also disposed of as closed.

CHIEF JUSTICE

Ab. Surji