

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

Tr.P.(C) No. 2 of 2026

Registrar General, High Court of Manipur

... Petitioner

-Versus-

1. Smt. Maibam Ongbi Mukhi Devi, now dead by her surviving legal representatives Smt. Maibam Ningol Usham Ongbi Modhu Devi, resident of Thangmeiband Sinam Leikai, P.O. & P.S. Imphal, District-Imphal West, Manipur (died) represented by her legal representatives Usham Ningol Ngangbam Ongbi Jandhabi Devi, W/o Ng. Chandramani Singh of Thangmeiband Lourung Pural Leikai, P.S. Imphal, Imphal West District, Manipur (now deceased) represented. by her legal representatives namely Smt. Ngangbam (N) Ingudam (O) Haripriya Devi, aged about 40 years, D/o (L) Ng. Jandhabi Devi, of Taothong Mamang Leikai; P.O. & P.S. Lamsang, Imphal West District, Manipur.
2. Shri Thangjam Kunjo Singh, So (L) Th. Tomcha Singh (now deceased) represented by his L.R.:- Thangjam Milan Singh, S/o (L) Th. Kunjo Singh of Chingmeirong Yengkhoiba Menjor Leikai, P.O. Mantripukhri, P.S. Lamphel, Imphal East District, Manipur.
3. Shri Yumnam Gourachandra Singh, S/o Bijoy Singh (now deceased) represented by his L.R. Yumnam Boy Singh, S/o (L) Y. Gourachandra Singh of Thangmeiband Laijingninthou, P.O. & P.S. Lamphel, Imphal West District, Manipur.
4. Ngasepam Tombi Singh (now deceased) represented by his legal L.R :-

(i) Ngasepam Manglem Singh, S/o (L) Ng. Tombi Singh

(ii) Ngasepam Biren: Singh, S/o (L) Ng. Tombi Singh;

All are residents of Chingmeirong Yenkhoiba Menjor Leikai, P.S. Lamphel, Imphal East District, Manipur.

Respondents

For petitioner : Mr. W. Jamon, Advocate.
For respondent No. 1 : Mr. Kh. Tomba, Advocate for Mr. P. Jacob, learned counsel on record.

For respondent Nos. 2 to 4 : Ms. Salima Nongjai, Advocate for Mr. M. Ibotombi, learned counsel on record.

Date of order : **29.04.2026**

BEFORE

HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR

O R D E R
(ORAL)

[1] This order will now dispose of the captioned transfer petition.

[2] Captioned transfer petition is a petition under Section 24 of the 'Code of Civil Procedure, 1908' ('CPC' for the sake of brevity). To set out with specificity, captioned petition is under Section 24 (1) (a) of CPC and to be noted, captioned petition is 'on own Motion' qua this Court.

[3] This order has to be read in conjunction with and in continuation of earlier proceedings made in the previous/first listing on 23.03.2026 which reads as follows:

'23.03.2026

[1] *Captioned transfer petition has been filed qua Execution Case No. 15 of 1989 (Ref: Original Suit No. 30/1972/127/1972) on the file of the Court of Civil Judge (Senior Division) Imphal East, Manipur.*

[2] *Mr. Kh. Tarunkumar, learned senior counsel instructed by Mr. Rustam, learned counsel for transfer petitioner submits that afore-referred transfer petition became necessary owing to recusal by the learned Presiding Officer of the Execution Court (citing conflict of interest) vide a letter dated*

08.01.2026 bearing Reference No. 2/H-20/DJ/IE/2025/31-32 from the learned Judicial Officer to the learned Registrar General of this Court.

[3] *In the light of the submission of Mr. Kh. Tarunkumar, learned senior counsel and on perusal of records, this Court deems it appropriate to issue notice to respondents. To be noted, lone decree holder and all judgment debtors in the afore-referred Execution case in abovementioned Executing Court are respondents in the captioned transfer petition.*

[4] *Issue notice to respondents, returnable by 29.04.2026.*

[5] *Learned counsel for transfer petitioner is also permitted to serve on learned counsel on record for lone decree holder and learned counsel on record for judgment debtors in the Executing Court.*

[6] *List on 29.04.2026.'*

[4] The afore-referred 23.03.2026 proceedings shall now be read as an integral part and parcel of instant order. Afore-referred 23.03.2026 proceedings sets out the kernel of the matter and therefore, this Court refrains itself from dilating further on facts any further. There is another reason for not dilating more on facts and that is, there is consensus as regards the transfer plea amongst all the counsel before this Court.

[5] Mr. W. Jamon, learned counsel representing the Registry of this Court (to be noted, it is a transfer petition on its own motion qua Court owing to recusal by the learned Judicial Officer concerned), Mr. Kh. Tomba, learned counsel representing Mr. P. Jacob, learned counsel on record for respondent No. 1 (decree holder before Executing Court) and Ms. Salima Nongjai, learned counsel representing Mr. M. Ibotombi, learned counsel on record for respondent Nos. 2 to 4 (judgment debtors before the Executing Court) are before this Court.

[6] As it is a case of recusal by the learned Judicial Officer presiding the Executing Court i.e., recusal citing conflict of interest, all the learned counsel before this Court consented for transfer of 'Execution Case No. 15 of 1989 (Ref:

Original Suit No. 30/1972/127/1972)' ('said execution case' for the sake of convenience) from the file of 'Civil Judge (Senior Division), Imphal East, Manipur' ('Transferor Court' for the sake of convenience and clarity) to 'Court of Civil Judge (Senior Division), Imphal West, Manipur' ('Transferee Court' for the sake of convenience and clarity).

[7] Afore-referred said execution case will now stand transferred from the Transferor Court to the Transferee Court forthwith. Transferor Court is directed to send all records of the said execution case to Transferee Court forthwith.

[8] The Transferee Court will not embark upon re-trial but will proceed from the point at which said execution case is being transferred. To be noted, this direction is being given by this Court in exercise of powers qua sub-Section (2) of Section 24 of CPC.

[9] As regards the next hearing date, as all the parties before the Executing Court viz., lone decree holder and the 3(three) judgment debtors are before this Court, all learned counsel agreed that it can be 11.05.2026. Accordingly, next hearing date for said execution court before the Transferee Court i.e., Court of Civil Judge (Senior Division), Imphal West is fixed on 11.05.2026.

[10] Learned counsel for respondent No. 1(decree holder before Executing Court) and learned counsel for respondent Nos. 2 to 4(judgment debtors before Executing Court) agree that the counsel for decree holder as well as counsel for judgment debtors will be present before the Executing Court i.e., Transferee Court on 11.05.2026 without insisting on any separate notice of hearing. The Transferee Court is directed to proceed with the said execution case from the point at which it stands today without embarking upon re-trial.

[11] This Court deems it appropriate to also write that the Transferee Court shall make every endeavor to dispose of the execution petition as expeditiously as the official business/ Board of the transferee Court would permit as said execution case is of the year 1989 and it is predicated on decrees made in 1970s.

[12] Captioned transfer petition is allowed and ordered in the aforesaid manner on afore-mentioned terms. There shall be no order as to costs.

CHIEF JUSTICE

Indrajeet

P.S. I : Upload forthwith.

P.S. II : All concerned will stand bound by web copy uploaded in High Court website inter-alia as the same is QR coded.

P.S. III : Registry is directed to send a copy of this order to the Transferor Court i.e., Civil Judge (Senior Division), Imphal East, Manipur as well as Transferee Court i.e., Civil Judge (Senior Division), Imphal West, Manipur by special messenger forthwith.