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

Item no. 83 & 84

**CRP (C.R.P. Art. 227) No. 23 of 2026 with
MC(CRP(CRP Art. 227) No. 36 of 2026**

Siddhartha Khuraijam

.... Petitioner

- Versus -

Angelina Naorem

.... Respondent

**B E F O R E
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

ORDER

10.08.2026

[1] Present Mr. N. Mahendra, learned counsel along with Mr. S. Samungou, learned counsel for the petitioner and Mr. Anjan Prasad Sahu, learned counsel for the respondent.

[2] The respondent herein, filed a matrimonial suit for annulment of marriage being Mat. (Annulment) Suit No. 2 of 2025 before the Family Court, Manipur at Lamphelpat to which the petitioner herein, who is a defendant in the suit has already filed his written statement. During the pendency of the matrimonial suit, the petitioner filed written statement and stage of the suit is that the plaintiff deposition is completed. After closing of the deposition of plaintiff witness, the defendant, who is the petitioner herein filed an application being Judl. Misc. Case No. 189 of 2026 for insertion of certain line in 'para 9' of the written statement. However, by the impugned order dated 11.05.2026, the learned Judge, Family Court, Manipur dismissed the application being Judl. Misc. Case No. 189 of 2026 on the ground that the proposed amendment will change the nature of the stand of defendant in the pending suit. Being aggrieved by the same, the petitioner approaches this Court by way of Civil Revision Petition (C.R.P., Art. 227) No. 23 of 2026 on the ground that the stage of the suit is early and the proposed amendment will not change the stand of the defendant in the written statement. It is submitted that the proposed amendment is in the nature

of the explanation to the averment made in 'para 9' of the written statement of the defendant/petitioner herein. Vide order dated 29.05.2026, this Court issue notice to the petition filed by the petitioner herein and further proceeding in suit was stayed. The respondent herein filed reply to the petition and in the reply, it is stated that it is the specific plea of the plaintiff/respondent for availing the benefits proviso to order 6 rule 17 of CPC, the petitioner herein has to aver that in spite of due diligence, the fact could not be place before the Court and only in such circumstances, the amendment may be allowed. In the present case, there is no averment that the factual aspect in the proposed amendment was without the knowledge of the petitioner herein. Hence, the present revision petition may be dismissed.

[3] This Court has gone through the averment in the application for amendment i.e. Judl. Misc. Case No. 189 of 2026. In reply to the contents of 'para 10 & 11' of the plaint of the respondent herein, the petitioner makes an averment in 'para 9' of the written statement that the respondent wants child after 1 year of marriage. However, in 'para 9' of the written statement, the petitioner proposed an amendment of adding that the plaintiff/respondent herein, threatened and slapping marital rape case against him. On this ground, the learned Family Court, Manipur has rejected the amendment application.

[4] This Court of the view that the proposed amendment may be allowed as the plaintiff/respondent herein will not be aggrieved by the proposed amendment. In any case, she will get further opportunity of cross examining the defendant/petitioner herein, about the veracity of the averment made in the proposed amendment.

[5] At this stage, Mr. Anjan Prasad Sahu, learned counsel for the respondent submits that in case the proposed amendment is to be allowed, an assurance is to be taken from the petitioner that the plaintiff witnesses which has already been closed, shall not be re-opened.

[6] Mr. N. Mahendra, learned counsel for the petitioner fairly submits that the petitioner will not require to recall the plaintiff and her witness to be re-examined again and if the application is allowed, the petitioner, who is defendant

in the suit, will confine to the pleading made in the amended written statement. In view of the fair submissions of both the learned counsel for the parties, the petition is allowed and the impugned order dated 11.05.2026 passed by the Family Court, Manipur in Judl. Misc. Case No. 189 of 2026 in Mat. (Annulment) Suit No. 2 of 2025 is set aside; and Judl. Misc. Case No. 189 of 2026 in the file of Family Court, Manipur stands allowed. The proposed amendment is allowed with the rider that the petitioner herein, who is the defendant in the suit, will not recall the plaintiff witness for cross-examination and the defendant deposition will be confined to the averment made in the amended written statement.

[7] With these observations, CRP(CRP Art. 227) No. 23 of 2026 is allowed. Interim order merges with the final order.

[8] MC(CRP(CRP Art. 227)) No. 36 of 2026 is also disposed of, accordingly.

[9] The proceeding of the Family Court, Manipur can pursue in terms of the above directions & observations.

[10] Registry is directed to send a copy of this order to the Family Court, Manipur for information.

JUDGE

Thoiba