REPORTABLE
S. Item Nos. 1 & 2

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

MAF No. 1 of 2026

1. The State of Manipur, represented by the Chief Secretary/Commissioner (Works), Government of Manipur having its office at Old Secretariat Building, Bapupara, P.O. & P.S. Imphal, Imphal West District, Manipur. PIN : 795001.
2. The Public Works Department, through its Chief Engineer (Building), Manipur, Khuyathong P.O. & P.S. – Imphal, Imphal West District, Manipur, PIN : 795001.
3. The Executive Engineer, Office at Executive Engineer Building, Division No. 1, PWD, P.O. & P.S. – Imphal, Imphal West District, Manipur, PIN: 795001.

…..Appellants

Versus

M/S The Simplex Infrastructures Ltd. through its General Manager, Simplex House, 27, Shakespeare Sarani, Kolkata – 700017.

……Respondent

With
MC(MAF) No. 1 of 2026

1. The State of Manipur, represented by the Chief Secretary/Commissioner (Works), Government of Manipur having its office at Old Secretariat Building,

Bapupara, P.O. & P.S. Imphal, Imphal West District, Manipur. PIN : 795001.

2. The Public Works Department, through its Chief Engineer (Building), Manipur, Khuyathong P.O. & P.S. – Imphal, Imphal West District, Manipur, PIN : 795001.
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…..Applicants

Versus

M/S The Simplex Infrastructures Ltd. through its General Manager, Simplex House, 27, Shakespeare Sarani, Kolkata – 700017.

……Respondent

BEFORE

HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR

For appellants/applicants	Mr. M. Devananda, Senior Advocate and Additional Advocate General instructed by Ms. N. Jyotsana, Advocate.
For respondent	Mr. S.D. Singh, Senior Advocate instructed by Ms. N. Diana Devi, Advocate.
Date of Order	**29.07.2026**

O R D E R

[1] Captioned matter was listed before a Hon'ble Single Bench which made an order/proceedings dated 23.07.2026 which reads as follows:

> ***'23.07.2026***
>
> *[1] Present Mr. M. Devananda, learned Addl. A.G. assisted by Ms. N. Jyotsana, learned counsel for the petitioner and Mr. SD Singh, learned senior counsel assisted by Ms. N. Diana, learned counsel for the sole respondent.*
>
> *[2] It appears that there is confusion about roster Court to deal this matter. In the circumstances, Registry is directed to list this case before appropriate roster bench after verifying the case in terms of the High Court of Manipur Rules, 2019. Registry is directed to place this matter before the Hon'ble Chief Justice on administrative side for placing before roster bench.*
>
> *[3] Mr. SD Singh, learned senior counsel for the respondent, submits that he is outstation counsel and one of his matters is listed before this Court on 29.07.2026 and made a prayer that this matter maybe listed on 29.07.2026. While listing this case, the request of Mr. SD Singh, learned senior counsel, may be taken into consideration.*
>
> *[4] List this case on 29.07.2026.*
>
> *[5] Earlier interim order is extended till the next date.'*

[2] Pursuant to afore-referred order, Registry placed the matter before Chief Justice on the administrative side and Chief Justice by order dated 28.07.2026 made on the administrative side directed the captioned

matter to be listed before this Single Bench (Chief Justice-Single Bench) under cause-list caption 'FOR CLARIFICATION'. The direction to list under cause-list caption 'FOR CLARIFICATION' was to get clarification regarding whether order dated 26.06.2026 made in Judl. Misc. (Execution) Case No. 41 of 2026 (Ref: Execution Case No. 1 of 2023) by the Court of District Judge, Imphal West was made by the said Court in its capacity as a Commercial Court or regular Court or regular Court. This '26.06.2026 order' shall be referred to as 'impugned order' and the 'Court' which made the impugned order shall be referred to as 'said Court' (both for the sake of convenience and clarity).

[3] In the hearing today, Mr. M. Devananda, learned Senior Advocate and learned 'Additional Advocate General' ('Addl. A.G.' for the sake of convenience) for Appellant/MC applicant State of Manipur instructed by Ms. N. Jyotsana, learned State counsel and Mr. S.D. Singh, learned senior counsel instructed by learned counsel on record Ms. N. Diana Devi for the respondent are before this Court.

[4] After some arguments, learned Addl. A.G., on instructions submitted that learned State counsel Ms. N. Jyotsana would be withdrawing the captioned appeal and captioned Miscellaneous Case therein but sought leave of this Court to preserve the rights and contentions of State to file an appeal or revision afresh and grant liberty in this regard. To be noted, this request is not opposed by Mr. S.D. Singh, learned senior counsel for respondent. This request of learned Addl. A.G. is acceded to.

[5] Be that as it may, for the sake of clarity in such matters in future, this Court deems it appropriate to record that notification dated 19.08.2021 bearing reference No. 4/74/2016-Judl/L regarding constitution of Commercial Courts was operating in the State of Manipur and a scanned reproduction of this notification is as follows:

GOVERNMENT OF MANIPUR
SECRETARIAT: LAW & LEGISLATIVE AFFAIRS DEPARTMENT

NOTIFICATION

Imphal, the 19th August, 2021

No. 4/74/2016-Judl/L: In exercise of the powers conferred by sections 3 and 3A of the Commercial Courts Act, 2015 (No.4 of 2016), the Governor of Manipur after consultation with the High Court of Manipur is pleased to constitute the following Commercial Courts for the purpose of exercising the jurisdiction and power conferred on Commercial Courts under the said Commercial Courts Act, 2015 as per details given in the Schedule below: -

SCHEDULE

Sl. No.	Name of existing Court	Court to be designated as	Pecuniary jurisdiction	Territorial jurisdiction
(I)	(II)	(III)	(IV)	(V)
(1)	All the Courts of Civil Judge (Jr. Division) in Manipur	Commercial Courts (CJJD level)	upto Rs. 1.00 Lakh	Existing territorial jurisdiction
(2)	All the Courts of Civil Judge (Sr. Division) in Manipur	Commercial Courts (CJSD level)	above Rs. 1.00 Lakh	-do-
(3)	All the Courts of District Judge in Manipur	Commercial Appellate Courts (DJ level)	upto Rs. 5.00 lakh	-do-

[CJJD = Civil Judge Junior Division; CJSD = Civil Judge Senior Division; DJ = District Judge]

2. The concerned Civil Judge Jr. Division, Civil Judge Sr. Division and District Judge of the concerned Courts shall be Presiding Officer of the Commercial Courts at Column (III) of the **SCHEDULE** in first paragraph.

3. The designation as Commercial Courts in the Schedule are in addition to their existing powers and functions in their respective original jurisdictions.

(Nungshitombi Athokpam)
Secretary (Law)
Government of Manipur

Copy to:

1. The Secretary to Hon'ble Chief Minister, Manipur.
   P.S. to Minister (Law & Legislative Affairs), Manipur.
2. P.S. to Chief Secretary, Government of Manipur.
3. All Addl. Chief Secretaries / Principal Secretaries / Commissioners / Secretaries, Government of Manipur
4. The Registrar General, High Court of Manipur. This has reference to her letter no. HCM/CA-PC/2021RG/93057 dated 12.08.2021.
5. The District and Sessions Judge (Imphal East/ Imphal West/ Bishnupur/ Senapati/ Ukhrul/ Thoubal/ Churachandpur).
6. The Government Advocate (High Court), Manipur.
7. The Director of Prosecution, Manipur.
8. The Director (Trade, Commerce & Industries), Manipur
9. The Public prosecutor (District), Manipur
10. The Director, Printing & Stationery, Manipur for kindly publishing the above Notification in the Official Gazette (extra ordinary) and to provide 5 copies of the publication to this Department.
11. All Civil Judge Sr. Division / Civil Judge Jr. Division.
12. Guard file.

[6] As the above notification was not in conformity with 'The Commercial Courts Act, 2015 (4 of 2016)' ('Commercial Courts Act' for the sake of clarity) another notification being notification dated 02.12.2025 bearing reference No. 4/33/2025-Judl/L was issued in supersession of 19.08.2021 notification and a scanned reproduction of this 02.12.2025 notification is as follows:

ID-DPS-201/2/2025-DPS-DP&S I/93561/2025

MANIPUR GAZETTE

सत्यमेव जयते

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 222 Imphal, Tuesday, December 9, 2025 (Agrahayana 18, 1947)

GOVERNMENT OF MANIPUR
SECRETARIAT : LAW & LEGISLATIVE AFFAIRS DEPARTMENT

NOTIFICATION
Imphal, December 02, 2025

No. 4/33/2025-Judl/L: In supersession of this Department's earlier Notification No. 4/74/2016-Judl/L dated 19.08.2021 and in exercise of the powers conferred by section 3 and 3A of the Commercial Courts Act, 2015 (No. 4 of 2016) read with the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Act, 2018 (No. 28 of 2018), the Governor of Manipur after consultation with the High Court of Manipur is pleased to constitute/ designate the following Commercial Courts for the purpose of exercising the jurisdiction and power conferred on Commercial Courts under the Commercial Courts Act, 2015 as per details given below:-

SCHEDULE

Sl. No.	Name of existing Courts	Court to be designated as	Pecuniary Jurisdiction/ Jurisdiction	Territorial Jurisdiction
(I)	(II)	(III)	(IV)	(V)
1.	Courts of all Civil Judges (Senior Division) in all the Judicial Districts of Manipur and in the event of there being more than one Civil Judge (Senior Division) in one Judicial District, Civil Judge (Senior Division) I of that District	Commercial Court (CJSD Level)	Shall not be less than Rs. 3 (three) Lakhs but below Rs. 1 (one) crore.	Existing territorial jurisdiction
2.	Courts of all District Judges in all Judicial Districts of Manipur	Commercial Court (DJ Level)	Original jurisdiction for Suits of the value of Rs. 1 (one) Crore and above	-do-

3.	Courts of all District Judges in all Judicial Districts of Manipur	Commercial Appellate Court (DJ Level)	For all appeals arising from Commercial Courts of Civil Judge Senior Division Level	Existing territorial jurisdiction

[CJSD- Civil Judge Senior Division; DJ – District Judge]

N. KEERTICHAND SINGH,
Secretary (Judicial),
Government of Manipur.

Printed at and Published by the Directorate of Printing & Stationery, Government of Manipur.

Digitally signed by
Thingbaijam Binodkumar Singh
Date: 09-12-2025 14:57:07

[7] Execution Case No. 1 of 2023 was launched by the award holder *inter alia* by resorting to Section 36 of 'The Arbitration and Conciliation Act, 1996(26 of 1996)' (hereinafter 'A&C Act' for the sake of brevity) *qua* execution of an Arbitral Award dated 12.01.2023. This execution case is dated 14.09.2023 and it was taken on file as Execution Case No. 1 of 2023 by the said Court. Thereafter, pending Execution Case No. 1 of 2023, afore-referred 02.12.2025 notification superseded 19.08.2021 notification and came into force on coming into force of 02.12.2025 notification, by virtue of sub-Section

(2) of Section 15 of Commercial Courts Act, Execution Case No. 1 of 2023 stood transferred to the Commercial Court. To be noted, said Court is a designated Commercial Court and therefore for all practical purposes the Court is same but it was before same Court functioning as Commercial Court. Thereafter, State took out Judl. Misc. (Execution) Case No. 41 of 2026 dated 30.05.2026 and impugned order was made in this Judl. Misc. Case. In any event, on the date of filing of this Judl. Miscellaneous Case by State i.e., 30.05.2026, 02.12.2025 notification had kicked in main Execution case stood transferred to Commercial Court vide Section 15(2) of Commercial Courts Act and therefore, State filed the Judl. Miscellaneous Case only in the Commercial Court. To put it in a nutshell, whichever way the matter is looked at, the impugned order has been made by a Commercial Court. Learned senior counsel on both sides have no disputation, disagreement or contestation on this point.

[8] Before concluding, for the sake of clarity in matters that may come up in future, this Court deems it appropriate to record that as regards this High Court, a notification being notification dated 23.08.2021 bearing reference No. HCM/CA-PC/2021-RG/: 93433 was operating and scanned reproduction of the same is as follows:

HIGH COURT OF MANIPUR
AT IMPHAL

NOTIFICATION
Imphal, the 23rd of August, 2021

No. HCM/CA-PC/2021-RG/: 9333 In exercise of the powers vested under Section 5 of the Commercial Court Act, 2015, The Hon'ble Chief Justice is pleased to constitute Division Bench presided over by the Chief Justice as the Commercial Appellate bench to hear appeals over and above the value of ₹. 5 lakh.

By order etc.

23/8/2021

(**GOLMEI GAIPHULSHILLU**)
REGISTRAR GENERAL
HIGH COURT OF MANIPUR

Copy to:

1. The Principal Secretary to the Hon'ble The Chief Justice, High Court of Manipur.
2. The Private Secretary to the Hon'ble Mr. Justice L.S. Jamir.
3. The Private Secretary to the Hon'ble Mr. Justice Kh. Nobin Singh.
4. The Private Secretary to the Hon'ble Mr. Justice M.V Muralidaran .
5. The Private Secretary to the Hon'ble Mr. Justice A. Bimol Singh.
6. The District & Sessions Judge, Imphal West/ Imphal East/ Thoubal/ Bishnupur/ Senapati/ Ukhrul/ Churachandpur.
7. The Secretary (Law), Government of Manipur.
8. The System Analyst, High Court of Manipur for uploading the same to the Official website.
9. Superintendent Esst..-II, High Court of Manipur.
10. The Concerned File/ Guard File/ Notice Board.

The above was superseded and a new notification dated 10.11.2025 bearing reference No. HCM/CA-PC/2021-RG/: 23249 was issued and scanned reproduction of the same is as follows:

HIGH COURT OF MANIPUR

AT IMPHAL

NOTIFICATION

Imphal, the 10th November, 2025

No. HCM/CA-PC/2021-RG/23249 : In supersession of all previous notifications in this regard, and in exercise of power vide Section 5 of the Commercial Court Act, 2015 (No.4 of 2016), Hon'ble the Chief Justice is pleased to constitute Division Bench presided by the Chief Justice as Commercial Appellate Division.

By order etc.,

10/11/25

(**OJESH MUTUM**)
REGISTRAR GENERAL
HIGH COURT OF MANIPUR

Copy to:

1. The Principal Secretary to the Hon'ble The Chief Justice, High Court of Manipur.
2. The Private Secretary to the Hon'ble Mr. Justice A. Bimol Singh, Judge, High Court of Manipur.
3. The Private Secretary to the Hon'ble Mr. Justice A. Guneshwar Sharma, Judge, High Court of Manipur.
4. The District & Sessions Judge, Imphal West/Imphal East/ Thoubal/ Bishnupur/ Senapati/Ukhrul/Churachandpur.
5. The Secretary (Law), Government of Manipur.
6. The System Analyst, High Court of Manipur for uploading the same to the official website.
7. Superintendent Esst.-II, High Court of Manipur.
8. The Concerned File/Guard File/ Notice Board.

[9] Reverting to the withdrawal plea of the State counsel, learned counsel on record for State Ms. N. Jyotsana has made endorsements in the captioned appeal and the captioned Miscellaneous Case and scanned reproduction of the endorsements are as follows:

Noting by office or Advocate	S
1.	
withdraw with liberty to file fresh. N Jyotsana Sr GA to Addl. A.G. 29/7/2026.	

Noting by office or Advocate	
1.	
withdraw with liberty to file fresh. N. Jyotsana Sr GA to Addl. A.G. 29/7/2026.	

[10] In the light of the narrative thus far, captioned appeal and captioned Miscellaneous Case thereat are disposed of as withdrawn/closed *albeit* with preservation of all rights and contentions of State to file an appropriate appeal or afresh.

[11] Though obvious, for the sake of specificity it is made clear that afore-referred preservation of rights/liberty given to State shall not be construed as any expression of opinion on maintainability of appeal/revision and shall not be construed as expression of any opinion on whether the impugned order is an appealable order or not. All questions are left open. Though obvious, for the purpose of specificity, it is also made clear that owing to the withdrawal of captioned Miscellaneous Case, interim order granted by another Hon'ble Single Bench stands effaced.

[12] Captioned Appeal and captioned Miscellaneous Case disposed of as withdrawn/closed albeit with aforementioned observations and with preservation of rights in the aforesaid manner. There shall be no order as to costs.

CHIEF JUSTICE

FR/NFR

Indrajeet

P.S. I : Upload forthwith.
P.S. II : All concerned to act on web copy of this proceedings/order uploaded in official website of High Court.
P.S. III : Though an order of withdrawal this Court is marking this order as 'REPORTABLE' owing to obtaining position *qua* Commercial Courts/Commercial Appellate Division being set out for future reference.

LAIRENMAYUM INDRAJEET SINGH

Digitally signed by LAIRENMAYUM INDRAJEET SINGH
Date: 2026.07.29 21:10:37 +05'30'