



2026:MNHC:150

REPORTABLE

Sl. No. 1 & 2

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

CRP(CRP.Art.227) No. 33 of 2026

Km. Laishram Thoinu @ Kajal Devi, aged about 46 years,
D/o Late Laishram Iboton Singh of Singjamei Waikhom
Leikai, P.O. & P.S.- Singjamei, District Imphal West,
Manipur – 795008.

.....Petitioner

Versus

1. Laishram Iboton Singh, aged about S/o Late Laishram
Ibungohal Singh of Thangal Bazar Alu Gali, Imphal,
P.O.-Imphal & P.S.-City, District-Imphal West,
Manipur- 795001 (Deceased), represented by her
Legal representatives/Legal heirs namely:-

(i) Smt. Laishram (Ongbi) Sorojini Devi aged
about 81 years W/o Late Laishram Iboton Singh
of Thangal Bazar Alu Gali, Imphal, P.O.- Imphal
& P.S.- City, District-Imphal West, Manipur-
795001.

(ii) Laishram Sanjika Devi, aged about 43 years,
D/o Late Laishram Iboton Singh of Thangal
Bazar Alu Gali, Imphal, P.O.- Imphal & P.S.-
City, District- Imphal West, Manipur-795001.

(iii) Shri Laishram Sanjit Singh, aged about 41
years, S/o Late Laishram Iboton Singh of
Thangal Bazar Alu Gali, Imphal, P.O.-Imphal &



P.S.- City, District-Imphal West, Manipur-795001.

(iv) Laishram Heroraj @ Naocha Singh (PRE-DECEASED), S/O Laishram Iboton Singh through/by his L.R./Legal Heirs namely:

(a) Smt. Laishram (Ongbi) Geeta Devi, aged about 36 years, W/o Late Laishram Heroraj @ Naocha Singh of Thangal Bazar Alu Gali, Imphal, P.O.- Imphal & P.S.-City, District-Imphal West, Manipur-795001.

(b) Laishram Prithiraj Singh, aged about 15 years S/o Late Laishram Heroraj @ Naocha Singh of Thangal Bazar Alu Gali, Imphal, P.O.- Imphal & P.S.- City, District-Imphal West, Manipur- 795001 and

(c) Laishram Chaningleima Devi, aged 12 years, D/o Late Laishram Heroraj @ Naocha Singh of Thangal Bazar Alu Gali, Imphal, P.O.- Imphal & P.S.- City, District-Imphal West, Manipur- 795001.

The Respondents No. (iv) (b) & (c) being minors may be allowed to be represented by their mother and guardian i.e. Respondent No. (iv)(a).

2. Smt. Laishram (Ongbi) Sorojini Devi aged about 81 years W/o Late Laishram Iboton Singh of Thangal Bazar Alu Gali, Imphal, P.O.- Imphal & P.S.- City, District- Imphal West, Manipur- 795001.
3. Laishram Sanjika Devi, aged about 43 years, D/o Late Laishram Iboton Singh of Thangal Bazar Alu Gali, Imphal, P.O.-Imphal & P.S.- City, District-Imphal West, Manipur- 795001.



4. Shri Laishram Sanjit Singh, aged about 41 years, S/o Late Laishram Iboton Singh of Thangal Bazar Alu Gali, Imphal, P.O.-Imphal & P.S.- City, District-Imphal West, Manipur- 795001.
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The Respondents No. 5 (b) & (c) being minors may be allowed to be represented by their mother and guardian Respondent No. 5 (a).

.....Respondents



With

MC(CRP(CRP.Art.227)) No. 56 of 2026

Km. Laishram Thoinu @ Kajal Devi, aged about 46 years,
D/o Late Laishram Iboton Singh of Singjamei Waikhom
Leikai, P.O. & P.S.- Singjamei, District Imphal West,
Manipur – 795008.

.....Applicant

Versus

1. Laishram Iboton Singh, aged about S/o Late Laishram
Ibungohal Singh of Thangal Bazar Alu Gali, Imphal,
P.O.-Imphal & P.S.-City, District-Imphal West,
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Bazar Alu Gali, Imphal, P.O.- Imphal & P.S.-
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Thangal Bazar Alu Gali, Imphal, P.O.-Imphal &



P.S.- City, District-Imphal West, Manipur-795001.

(iv) Laishram Heroraj @ Naocha Singh (PRE-DECEASED), S/O Laishram Iboton Singh through/by his L.R./Legal Heirs namely:

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(e) Laishram Prithiraj Singh, aged about 15 years S/o Late Laishram Heroraj @ Naocha Singh of Thangal Bazar Alu Gali, Imphal, P.O.- Imphal & P.S.- City, District-Imphal West, Manipur- 795001 and

(f) Laishram Chaningleima Devi, aged 12 years, D/o Late Laishram Heroraj @ Naocha Singh of Thangal Bazar Alu Gali, Imphal, P.O.- Imphal & P.S.- City, District-Imphal West, Manipur- 795001.

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3. Laishram Sanjika Devi, aged about 43 years, D/o Late Laishram Iboton Singh of Thangal Bazar Alu



Gali, Imphal, P.O.-Imphal & P.S.- City, District-
Imphal West, Manipur- 795001.

4. Shri Laishram Sanjit Singh, aged about 41 years, S/o Late Laishram Iboton Singh of Thangal Bazar Alu Gali, Imphal, P.O.-Imphal & P.S.- City, District-Imphal West, Manipur- 795001.
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.....Respondents



BEFORE

HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR

For revision petitioner/applicant	Mr. Ajoy Pebam, Advocate
Date of Order	01.08.2026

ORDER

[1] The following abbreviations/short forms have been used in this order (for the sake of brevity, convenience and clarity):

Sl. No.	Abbreviation/Short Form/other short references	Full Form/Expansion
1.	CRP	Civil Revision Petition
2	MC	Miscellaneous Case
3.	Trial Court	Court of Civil Judge (Junior Division), Imphal West-I, Manipur
4.	CPC	Code of Civil Procedure, 1908
5.	said suit	O.S. No. 22 of 2008/113/2013 on the file of Trial Court
6.	said Judl. Misc. Case	Judl. Misc. (Amendment) Case No. 88 of 2018)
7.	impugned order	order of Trial Court in said Judl. Misc. Case in said suit being order dated 12.02.2026
8.	D1	first defendant in Trial Court and similar abbreviation/s are used for other defendants also



[2] Short facts, shorn of elaboration/particulars which are not imperative for appreciating instant order are that said suit was filed by CRP petitioner in Trial Court way back in 2008 (15.04.2008 to be precise); that said suit was filed with declaratory reliefs and injunction *inter-alia* pertaining to 3(three) items of immovable properties ('suit properties' for the sake of convenience); that said suit was filed by CRP petitioner arraying her father, father's first wife (to be noted, CRP petitioner is daughter to second wife one Hemolata), her half-sister and two half-brothers arraying them as D1 to D5 respectively; that the defendants on being served with suit summons filed a common written statement dated 20.06.2008; that thereafter, issues were framed, trial was commenced and deposition/marketing of exhibits concluded; that the said suit was first listed in Trial Court for final hearing on 07.09.2015 itself; that thereafter, in and *vide* petition dated 07.05.2018 said Judl. Misc. Case was filed with a prayer for amendment of plaint resorting to /invoking Order VI Rule 17 of CPC; that this Judl. Misc. Case was resisted by the defendants; that the Trial Court after full contest, dismissed the Judl. Misc. Case in and *vide* impugned order *inter-alia* on the grounds the Judl. Misc. Case has been filed very belatedly and when the suit is in advanced long after commencement of trial but CRP petitioner was unable to demonstrate that in spite of due diligence the amendment plea could not be made before commencement of trial and that amendments sought are merely in the nature of typographical errors; that in and *vide* impugned order, Trial Court dismissed said Judl. Misc. Case primarily owing to proviso to Order VI Rule 17 which



makes it clear that no application for amendment shall be allowed after trial has commenced unless the Court comes to the conclusion that in spite of due diligence a party could not have raised the matter before commencement of trial; that it is to be noted that said suit was first listed for final hearing on 07.09.2015 itself.

[3] Mr. Ajoy Pebam, learned counsel for CRP petitioner and MC applicant is before this Court (physical Court). After hearing learned counsel for CRP petitioner/MC applicant and perusing the case file, this Court comes to the conclusion that captioned CRP does not pass muster in the admission Board and it deserves to be dismissed. The reasons are as follows:

- i. As already alluded to in factual matrix narration *supra*, trial had not only commenced but had concluded and the said suit was first listed in Trial Court for final hearing on 07.09.2015 itself. Thereafter, more than 2(two) years and 8 (eight) months later, Judl. Misc. Case for amendment under Order VI Rule 17 CPC was filed *vide* a petition dated 07.05.2018. It is clearly a case where said Judl. Misc. Case has been filed not only after commencement of trial but after conclusion of trial and 2(two) years and 8 (eight) months after the suit was first listed for final hearing/arguments;
- ii. A careful perusal of the 5(five) amendments sought to be made makes it clear that all 4(four) amendments are



in the nature of correction of spelling (not any proper noun) and some typographical errors and one of the 5(five) amendments seeks to add the expression '*and hence cancelled*' after '*void*'. Adding such expression would hardly make any difference and may even be superfluous. There is no reason to entertain said Judl. Misc. Case which was filed 2(two) years and 8(eight) months after the suit was first listed for final hearing. A careful perusal of the impugned order makes it clear that the Trial Court has rightly dismissed the said Judl. Misc. Case by placing reliance on proviso to Order VI Rule 17 as the CRP petitioner was unable to demonstrate and place any material before Trial Court for Trial Court to come to the conclusion that in spite of due diligence CRP petitioner could not have raised the matter before commencement of Trial;

- iii. The said suit is clearly vintage *nay* ancient as it was filed more than 18(eighteen) years ago. To be noted, date of plaint, date of filing of suit and date of institution of suit are 15.04.2008. The suit is also in the nature of a partition suit though it has been filed with prayers for declaratory reliefs and injunction. The said suit is a case of exception to the age-old adage '*blood is thicker*' and therefore, it would hardly serve any purpose in further delaying the



matter by allowing the amendment application (said Judl. Misc. Case) at this distant point of time;

- iv. The Judl. Misc. Case is dated 07.05.2018, the impugned order is dated 12.02.2026 and the captioned CRP has been filed in this Court only on 30.07.2016. This means that not only the said Judl. Misc. Case has been filed at a very belated stage, the captioned CRP itself has been filed more than 5(five) months after the impugned order and the trajectory leaves the case making of delay at all stages.

[4] In the light of the facts being rock solid and clear as day light, this Court refrains from advertent to case laws and burdening instant order with case laws, less instant order may become verbose.

[5] This Court having set out discussion and dispositive reasoning *supra* now proceeds to write the operative portion of instant order. Before doing so, it is deemed appropriate to write that the Trial Court will do well to expedite the matter. At this stage, Mr. Ajoy Pebam, learned counsel refers to the last sentence in paragraph 11 of the impugned order which reads as follows:

‘This indicates that the mistake is purely sheer negligence and carelessness on the part of plaintiff’s counsel while conducting the case and there is no merit in the submission placed by the counsel for the plaintiff.’



[6] Learned counsel submitted that afore-referred sentence has put the Trial Court's counsel for plaintiff in a predicament and Mr. Ajoy Pebam, learned counsel requested this Court to preserve the rights of the CRP petitioner to file an application in Trial Court for expunging this one sentence alone. This request is acceded to. If such application for expunging the sentence is filed, Trial Court shall consider the same on its own merits and in accordance with law but as expeditiously as the official business of the Trial Court would permit as the expunge application should not become another reason for further delay in a suit which is already vintage *nay* ancient.

[7] Ergo, sequitur is, captioned CRP fails and the same is dismissed *albeit* with limited preservation of rights of CRP petitioner to file an expunge application in Trial Court as mentioned above. As a consequence, captioned MC also perishes with the main CRP and the same is also dismissed. Considering the fair manner in which submissions were made by learned counsel for revision petitioner, this Court refrains itself from imposing costs.

CHIEF JUSTICE

Ab. Surjit

FR/NFR

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.

Abujam
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