

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

MAT. APP. No. 5 of 2025

Miss Laishram Janata Devi, aged about 45 years, D/o.
(Late) Laishram Rajendrakumar Singh and (Late)
Laishram Randhoni Leima, a resident of Singjamei
Chirom Leikai, P.O. & P.S. Singjamei, Imphal West
Manipur.

... Appellant

- Versus -

1. Mrs. Laishram Sanatombi Devi, aged about 31
years, D/o. (Late) Laishram Rajendrakumar Singh
and (Late) Laishram Randhoni Leima, a resident of
Singjamei Chirom Leikai, P.O. & P.S. Singjamei,
Imphal West Manipur.
2. Mr. Mangal Laishram, aged about 27 years, S/o.
(Late) Laishram Rajendrakumar Singh and (Late)
Laishram Randhoni Leima, a resident of Singjamei
Chirom Leikai, P.O. & P.S. Singjamei, Imphal West
Manipur.

... Respondents

B E F O R E

**HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

For the appellant : Mr. H. Chandrakumar, Advocate

Date of hearing & order : **01.06.2026**

O R D E R

[M. Sundar, CJ]

[1] When the captioned matter was taken up, Mr. H.
Chandrakumar, learned counsel on record for the lone appellant

very fairly submitted that captioned matter is directly and squarely covered by order dated 12.05.2026 made in Mat.App. No. 18 of 2025, saying so, learned counsel sought leave of this Court to withdraw the captioned appeal and made a further plea to preserve the rights and contentions of the appellant as in **Chaoba Devi's** case i.e., order dated 12.05.2026 made in Mat. App. No. 18 of 2025 (***Nongmeikapam Chaoba Devi -Vs- Nongmeikapam Bungtombi Devi and 2 Others***).

[2] The afore referred order dated 12.05.2026 made in Mat.App. No. 18 of 2025 (**Chaoba Devi's** case) reads as follows :

'Item No. 21

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

Mat. App. No. 18 of 2025

Nongmeikapam Chaoba Devi, aged about 31 years, D/o Late N. Ranjit Meitei of Mayang Imphal Konchak Mamang Leikai, P.O. & P.S. Mayang Imphal, District : Imphal West, Manipur.

... Appellant

- Versus -

1. Nongmeikapam Bungotombi Meitei, aged about 25 years;
2. Nongmeikapam Abema Devi, aged about 46 years;
3. Nongmeikapam Prema Leima, aged about 43 years;
 - All son and daughters of Late N. Ranjit Meitei and N. Pishakmacha Leima of Mayang Imphal Konchak Leikai, P.O. & P.S. Mayang Imphal, District : Imphal West, Manipur.

... Respondents

B E F O R E

**HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

For the appellant	:	Mr. Soibam Inaocha Meetei, Advocate
For the respondents	:	Mr. S. Joychandra, Advocate

Date of hearing & order: Mr. RK Tomma, Advocate
12.05.2026

O R D E R

[M. Sundar, CJ]

- [1] Issue notice.
- [2] Mr. S. Joychandra, learned counsel along with Mr. RK Tomma, learned counsel who are present in Court accept notice for all 3 (three) respondents.
- [3] A very interesting scenario has unfurled in the captioned matter. Learned counsel for sole appellant seeks leave of this Court to withdraw the captioned appeal with preservation of rights to file a suit afresh. The reason is, Mr. Soibam Inaocha Meetei, learned counsel on record for sole appellant and Mr. S. Joychandra, learned counsel along with Mr. RK Tomma, learned counsel on record for all the respondents submit in one voice, that captioned matter is directly and squarely covered by an order dated 19.02.2026 made in MAT. APP. No. 6 of 2026 by this Court and reproduction of this order is as follows:

'Sl. No. 1(Suppl)

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

Mat. App. No.6 of 2026

Km. Huidrom Bimoti Devi, aged about 45 years, D/O Late H. Gyanesor Singh, resident of Moirangkhom Sougaijam Leirak, PO & PS Imphal, District Imphal West, Manipur.

Appellant

Vs.

1. Smt. Huidrom Bijenti Devi, aged about 48 years, W/O Loukrakpam Kiran Singh, resident of Singjamei Mayengbam Leikai, PO & PS Singjamei, District Imphal West, Manipur.
2. Shri Huidrom Naresh Singh, aged about 44 years, S/O Late H. Gyanesor Singh, resident of Moirangkhom Sougaijam Leirak, PO & PS Imphal, District, Imphal West, Manipur
3. Smt. Huidrom Garina Devi, aged about 37 years, W/O Naoroibam Robi Singh, resident of Heingang Panthoibi Leikai, PO Mantripukhri, PS Heingang, District Imphal East, Manipur.

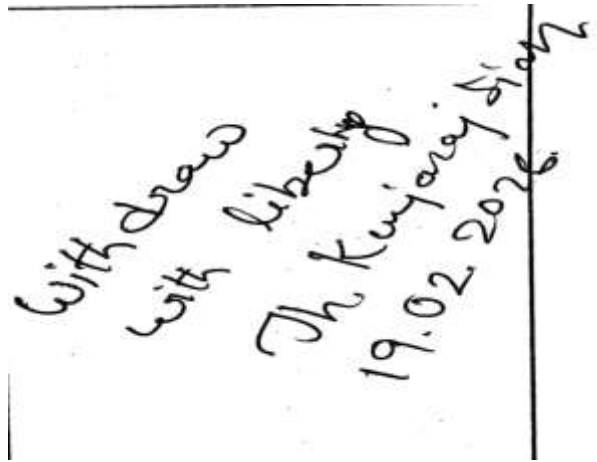
BEFORE
HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

(ORDER)
(Order of the Court was made by M. Sundar,
CJ)

19.02.2026.

[1] After some arguments, Mr. TH. Kunjaraj Singh, learned counsel on record for the sole appellant sought leave of this Court to withdraw captioned appeal but made a plea to preserve all the rights and contentions of the sole appellant to file another suit in the jurisdictional Family Court seeking declaration qua State and other Governmental authorities who may be necessary for appellant to get Family Pension vide office memorandum dated 17.05.2011 made by Government of Manipur Secretariat: Finance Department (Pay Implementation Cell) read with a corrigendum dated 27.06.2011.

[2] A scanned reproduction of the endorsement made by learned counsel on record for sole appellant in the case file is as follows:



A handwritten endorsement in a case file, written diagonally. The text reads: "Withdraw with liberty Th Kunjaraj Singh 19.02.2026". The signature "Th Kunjaraj Singh" is written in a cursive style, and the date "19.02.2026" is written below it. The words "Withdraw with liberty" are written to the left of the signature.

[3] Though it is a case of withdrawal, we deem it appropriate to write that withdrawal became necessary inter-alia owing to Section 35 of the Specific Relief Act, 1963 ('sad Act') which makes it clear that a declaration qua Chapter VI of said Act (captioned 'Declaratory Decree') is binding only on the parties to the suit. In the case on hand, State/Governmental authorities concerned are not party/parties to the suit. To be noted, there is no dispute that the sole appellant

filed the suit being Matrimonial(Declaration) Suit No. 7 of 2025 CNR: MNIW05-000312-2025 on the file of the Family Court Manipur at Lamphelpat Imphal solely for the purpose of claiming family pension qua her late father, Mr. Huidrom Gyanesor Singh who was a Government employee/Government servant and who was working as Superintendent under the Deputy Director of Industries, Department of Industries, Government of Manipur, retired from service on 30.06.2010 and died 01.05.2023.

[4] If the sole appellant files a suit seeking declaration regarding afore-referred subject matter arraying State/instrumentalities of State/Government authorities concerned qua family pension vide afore-referred office memorandum and corrigendum thereat, the same shall be entertained by the jurisdictional Family Court and for this purpose, we make it clear that such a suit, if filed will not be hit by res-judicata vide section 11 of the Code Civil Procedure 1908 (CPC) as it would not be 'suit between the same parties'. However, the suit will be examined/tried on its own merits and in accordance with law untrammelled by withdrawal of captioned appeal.

[5] In the light of the narrative thus far and in the light of endorsement made by learned counsel on record for sole appellant, captioned appeal is disposed of as closed/withdrawn albeit with preservation of rights and contentions in the aforesaid manner and observations as above.

[6] There shall be no order as to costs.

JUDGE

CHIEF JUSTICE

John Kom
FR/NFR'

Afore-referred learned counsel on both sides submit that a similar order may please be made in instant case. In this regard, Mr. Soibam Inaocha Meetei, learned counsel for appellant has made an endorsement in the case file and scanned reproduction of the same is as follows:

[4] In the light of the narrative thus far, captioned statutory appeal under Section 19 of 'Family Courts Act, 1984 (66 of 1984)' is disposed of as withdrawn / closed albeit with preservation of rights and contentions in the manner set out in afore-referred 19.02.2026 order more particularly Paragraph No. 4 thereat. For the sake of specificity, this Court deems it appropriate to clarify that if the appellant files a suit afresh, the same shall be entertained by the jurisdictional matrimonial Court by strictly adhering to order dated 19.02.2026, more particularly paragraph 4 thereat in MAT. APP. No. 6 of 2026 and dispose of the fresh suit on its own merits and in accordance with law.

[5] If the appellant files a fresh suit, the jurisdictional Family court shall consider the same on its own merits and in accordance with law.

[6] Captioned appeal is disposed as closed/withdrawn albeit with preservation of rights and observations as above. There shall be no order as to costs.

JUDGE

CHIEF JUSTICE

Sushil'

[3] Learned counsel on record for the lone appellant has made an endorsement in the case file and scanned reproduction of the same is as follows :

The matter may
be allowed to
withdraw with
a liberty to
approach the
concerned family
court after availing
state/instrumentality
as parties

[Signature]
1-6-2026

[4] In the light of the narration thus far, captioned appeal is disposed of as withdrawn/closed albeit with preservation of all rights and contentions of the appellant as in **Chaoba Devi's** case i.e., order dated 12.05.2026 made in Mat. App. No. 18 of 2025 (**Nongmeikapam Chaoba Devi -Vs- Nongmeikapam Bungtombi Devi and 2 Others**). There shall be no order as to costs.

JUDGE

CHIEF JUSTICE

FR/NFR
Sushil