

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

W.P.(C) No. 53 of 2026

Keisham Meghachandra Ssingh

... Petitioner

- Versus -

Union of India & 3 Ors.

... Respondents

B E F O R E

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

O R D E R

[M. Sundar, CJ]

17.02.2026

[1] Read this in conjunction with and in continuation of earlier proceedings made in the listings on 05.02.2026 and 13.02.2026 which read as follows:

'Order dated 05.02.2026

[1] *Captioned the matter is listed under the cause list of caption 'Motion'.*

[2] *Mr. N. Bupenda, learned counsel for writ petitioner submitted that Hon'ble Governor of Manipur had on 24.01.2025 summoned the 7th Session of 12th Manipur Legislative Assembly at 11:00 a.m. on 10.02.2025. Thereafter, the then Hon'ble Chief Minister resigned on 09.02.2025, the same was accepted by the Hon'ble Governor of Manipur and on the same day (09.02.2025) another order declaring the 24.01.2025 order summoning the 7th Session of 12th Manipur Legislative Assembly as null and void was made. Learned counsel submitted that this is the infraction of Article 174(1) of the Constitution of India and therefore it warrants interference vide a Article 226 legal drill.*

[3] *This Court, at the threshold requested the learned counsel to address the Court on the question of subjecting such an order and other issues which have been raised in the captioned writ petition to judicial review i.e. orders of Hon'ble Governor in a Article 226 legal drill.*

[4] To be noted, learned Solicitor General of India, Mr. Tushar Mehta was before this Court on the VC (video conferencing) platform and learned Solicitor General volunteered to assist this Court on the afore-referred threshold issue in a physical Court hearing.

[5] Let the matter stand over to 11.02.2026 (Wednesday).

[6] This Court makes it clear that at this juncture, we have not issued notice and in the next listing i.e. on 11.02.2026, the afore-referred threshold question pertaining to judicial review qua orders of Hon'ble Governor/issues that have been raised in the captioned writ petition will be examined first and subject to the decision qua this threshold question the merits of matter will be examined if need arises.

[7] List in the daily cause list under the caption 'Adjourned Admission' on 11.02.2026.

[8] List on 11.02.2026.'

'Order dated 13.02.2025

[1] Read this in conjunction with and in continuation of earlier proceedings made in the listing on 05.02.2026.

[2] Today, Mr. Bupenda, learned counsel on record for writ petitioner is before us (physical Court).

[3] Mr. Tushar Mehta, learned Solicitor General of India is before this Court on the VC (video conferencing) platform and his instructing counsel, Mr. O. Ratankumar is present in the physical Court.

[4] Mr. Bupenda, learned counsel for the writ petitioner adverted to 05.02.2026 proceedings started making submissions inter alia on justiciability qua order of Hon'ble Governor in a Article 226 writ more particularly, the order dated 09.02.2025 (Annexure – A/36).

[5] In captioned writ petition, there are 7 (seven) limbs of prayers. The last limb is usual residuary prayer. As regards 6 (six) limbs of prayers, learned counsel very fairly submitted that he is not pressing prayer for dissolution of the Assembly which is limb - 4 of the prayers or in other words, sub-paragraph No. (iv) of the prayer paragraph. (To be noted, prayer paragraph is the paragraph after paragraph No. 65.) This submission is recorded.

[6] It was also submitted that he is not assailing Article 356 proclamation which was made on 13.02.2025 and thereafter on 07.08.2025. It was further submitted that consequence qua infraction of Article 174 (1) has not been prescribed in the

Constitution and writ petitioner is not specifically asking for position ante i.e. ante 09.02.2025.

[7] As this Division Bench has to break for Single Sitting of both Members of Division Bench (Chief Justice and Justice A. Guneshwar Sharma), let this matter stand over to 17.02.2026 (Tuesday) for continuation.

[8] List under the same cause list caption i.e., 'ADJOURNED ADMISSION' on 17.02.2026 (Tuesday).'

[2] In the listing today, Mr. Bupenda, learned counsel on record for writ petitioner is before us (Physical Court).

[3] Mr. Bupenda, learned counsel for writ petitioner reiterated his earlier submissions.

[4] This Court notices that Article 174 of the Constitution of India has its origin qua Article 153 of the draft Constitution which is akin to Article 69 as regards the Constituent Assembly debates and traceable to Section 62 of the Government of India Act, 1935.

[5] In the light of narrative thus far, issue notice to the respondent Nos. 2, 3 & 4 subject to justiciability issue i.e. justiciability of order of Hon'ble Governor in a Article 226 legal drill.

[6] As regards R-1, learned Solicitor General, Mr. Tushar Mehta who is assisting this Court on the VC platform submits that Cabinet Secretary is completely alien to the entire issue before this Court and in another case, notice to Cabinet Secretary was recalled by Hon'ble Supreme Court in the light of Rules of business on an application filed by the Union of India. Learned Solicitor submitted that he would submit orders of Hon'ble Supreme Court in this regard and according to learned Solicitor these orders

would be relevant to case at hand as regards writ petitioner adding R-1 in the array of respondent. To be noted, learned counsel for writ petitioner requests for time to make contra submissions in this regard. In this view of the matter, we have issued notice to the respondent Nos. 2, 3 & 4 and the question of whether R-1 is necessary in the array of respondents would be considered in the next listing.

[7] As regards notice to R-4, as already alluded to supra, it is made clear that the notice is subject to outcome of justiciability issue. Outcome of justiciability issue will obviously decide the question of whether R-4 should continue to be in the array of respondents.

[8] Learned Solicitor General submitted that captioned matter is now academic as the 7th Session of 12th Assembly has since been convened and has met on 05.02.2026. It is further submitted that the captioned matter has already become infructuous inter-alia owing to this position and owing to writ petitioner having attended/participated in the 7th Session on 05.02.2026. It is made clear that it is open to the respondent Nos. 2 & 3 to raise this point also in the affidavit-in-opposition.

[9] Affidavits-in-opposition, if any, shall be filed in the interregnum.

[10] List on 13.03.2026 after Yaoshang Holidays (Holi).

JUDGE

CHIEF JUSTICE

Bipin