

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

Tr.P.(C) No. 1 of 2025

Journey Chithung and another

Petitioners

Vs.

Kaphungyui Asare and 3 Others

Respondents

BEFORE

HON'BLE THE CHIEF JUSTICE MR. KEMPAIAH SOMASHEKAR

ORDER

14.07.2025

Mr. A. Sachikumar, learned counsel for the petitioners; Mr. Mark Khapai, learned counsel and Mr. W. Niranjit, learned Deputy GA are present before the court physically.

Whereas in this petition, the petitioner is seeking for transfer of the proceeding in Civil Original (Declaration) Suit No. 4 of 2019 which is pending in the Court of Civil Judge (Senior Division), Ukhrul to appropriate Court of competent jurisdiction at Imphal.

Whereas the learned counsel for the petitioners in these matters is facilitating the reliance which has been rendered by the Hon'ble Supreme Court of India in the case of **Kulwinder Kaur Alias Kulwinder Gurcharan Singh Vs. Kandi Friends Education Trust and others** reported in **(2008) 3 SCC 659** wherein the Hon'ble Supreme Court of India had addressed the issues and also the scope of Sections 24 and 25 of the transfer of suit, appeal and other proceedings.

However, keeping in view the ratio which is facilitated by the learned counsel for the petitioners in this matter are concerned, it is deemed appropriate that the counsel for the petitioner inclusive of the learned counsel for the respondents be directed to secure the instructions from the party to persuade this proceeding in accordance with law.

Accordingly, made an observation.

Consequently, this matter would be listed on 30.07.2025.

CHIEF JUSTICE

Sushil