

Item -9-12

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

**MC(RSA) No.6 of 2020**

**(Through Video conference)**

Kakhulin Dangmei

.... Applicant/s

- Versus -

Dongkhopao Haokip & Ors.

.... Respondent/s

**With MC(RSA) No.7 of 2020**

**With RSA No.1 of 2020**

**With RSA No.2 of 2020**

**BEFORE  
HON'BLE MR. JUSTICE MV MURALIDARAN**

**16.09.2020**

Heard Kh. Chonjon, Ld. counsel for the appellant and Mr. Th. Modhu, Ld. counsel for the 1<sup>st</sup> respondent.

[2] None appeared for the other respondents.

[3] Mr. Th. Modhu, Ld. counsel for the 1<sup>st</sup> respondent represented before this Court that he is in possession of the property whereas the appellant is not in possession of the property.

[4] Therefore, Mr. Th. Modhu, Ld. counsel for the 1<sup>st</sup> respondent seeks modification of the order passed by this Court dated 31.08.2020 by adding 1(one) line by saying that if the appellant is not in possession of the property,

but this Court passed order on 31.08.2020 and posted the matter today, i.e. on 16.09.2020.

[5] Mr. Th. Modhu, Ld. counsel for the 1<sup>st</sup> respondent represented before this Court that he has received instructions from his client yesterday only. Therefore, he seeks time to file counter affidavit.

[6] Apart from this, once order has been passed, this Court cannot pass order simply without any counter affidavit of the 1<sup>st</sup> respondent either to modify or vacate the order.

[7] Therefore, Mr. Th. Modhu, Ld. counsel for the 1<sup>st</sup> respondent is directed to file his counter affidavit on 21.09.2020 and this Court will pass order by considering the interim application on that day on filing of the counter affidavit by the 1<sup>st</sup> respondent.

[8] Post the matters on 21.09.2020.

[9] Interim order already granted by this Court is extended till then.

**JUDGE**

*Larson*