

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

El. Petn. No. 1 of 2022

Okram Henry Singh

... Petitioner

Vs.

Thangjam Arunkumar & ors.

... Respondents

With

El. Petn. No. 24 of 2022;

MC(El. Petn.) No. 171 of 2022 &

MC(El. Petn.) No. 55 of 2022

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

27-06-2023

Mr. Ajoy Pebam, learned counsel appearing for the petitioner in El. Petn. No. 1 of 2022 and Mr. S. Chittaranjan, learned counsel appearing for the petitioner in El. Petn. No. 24 of 2022 submitted that they have already filed the list of witnesses and list of documents to be relied on by them and the examination-in-chief of the PWs can be started from 04-07-2023.

On the other hand, Mr. B.R. Sharma, learned counsel appearing for the respondent No.1 in both the election petitions seeks two weeks' further time for allowing the respondent No. 1 to file the list of witnesses and list of documents to be relied on by him.

As prayed for by the counsel appearing for the parties, registry is directed to place the record of these cases before the appointed Commissioner on 04-07-2023 for consideration of examination of PWs.

JUDGE

Devananda

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

El. Recr. Petn. No. 16 of 2022

(Ref:- El. Petn. No. 24 of 2022)

Thangjam Arunkumar

... Petitioner

Vs.

Yumkham Erabot Singh & ors.

... Respondents

B E F O R E

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

27-06-2023

Heard Mr. B.R. Sharma, learned counsel appearing for the petitioner, Mr. S. Chittaranjan, learned counsel appearing for the respondent No. 1 and Mr. Ajoy Pebam, learned counsel appearing for the respondent No. 2. None appeared for the respondent No. 3.

After hearing the submissions advanced by the learned counsel appearing for the parties and after careful examination of the materials available on record, the following issues are framed for determination:-

- (a) Whether the respondent No. 1 failed to fill up or respond to the query/ information sought at Para 6A of Part A in his Form 26 affidavit filed in connection with the 12th Manipur Legislative Assembly Election or not? If yes, whether such omission is fatal or not?
- (b) Whether the respondent No. 1 failed to disclose his immovable property under Patta No. 115 Ang (Part)(Old) 547, 523/195(New) under C.S. Dag No. 1050/1502 measuring an area of 0.2294 acres of village No. 25-Soibal Leikai at Para 7B of Part A of Form 26 affidavit filed by him in connection with the 12th Manipur Legislative Assembly Election or not?
- (c) Whether the respondent No. 1 correctly disclosed the area/ measurement of his two residential properties declared by him at para 7B(iv) of Part A of the Form 26 affidavit filed by him in connection with the 12th Manipur Legislative Assembly Election or not?
- (d) Whether the respondent No. 1 has failed to disclose material information in his Form 26 affidavit filed by him in connection with the 12th Manipur Legislative Assembly Election or not?

- (e) Whether there is any cause of action for filing the present Election Recrimination Petition or not?
- (f) Whether the Election Recrimination Petition is maintainable or not?
- (g) Whether the petitioner is entitled to the reliefs claimed by him in the present Election Recrimination Petition or not?

The counsel appearing for the parties seeks two weeks' time for filing the list of witnesses and the list of documents to be relied on by them.

Registry is directed to place the record of this case before the appointed Commissioner for examining the witnesses and for taking evidences on a convenient date to be fixed by the appointed Commissioner.

Registry is further directed to provide a Stenographer and a Judicial Assistant for assisting the appointed Commissioner.

The appointed Commissioner is directed to complete the examination of witnesses and taking of evidences as early as possible and to submit a report thereafter.

JUDGE

Devananda