

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

**EL. PET. No 3 of 2022**

Pukhrambam Sumati Devi

***Petitioner***

**Vs.**

Sorokhaibam Rajen Singh; & Ors.

***Respondents***

***Clubbed with  
El. Recr. Pet. No. 13 of 2022 with  
MC (El. Pet.) No. 3 of 2025 with  
MC (El. Pet.) No. 58 of 2024 with  
MC (El. Pet.) No. 67 of 2023***

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. KEMPAIAH SOMASHEKAR  
(ORDER)**

**28.07.2025**

Learned counsel for the election petitioner, Mr. M. Gunedhor is present before the Court physically. Learned counsel for respondent No. 1, Mr. A. Mohendro is also present before the Court physically.

The proceeding in EL. PET. No. 3 of 2022 has been initiated challenging the election of respondent No. 1. The proceedings in El. Recr. Pet. No. 13 of 2022, MC (EL. PET.) No. 3 of 2025 and MC (EL. PET.) No. 58 of 2024 and MC (EL. PET.) No. 67 of 2023 are its ancillaries.

Learned counsel for respondent No. 1 in the election petition preferred MC (EL. PET.) No. 58 of 2024, keeping in view the provision of Order 6 Rule 16 of the Code of Civil Procedure, seeking to strike out prayer No. (iii) in the main election petition.

Learned counsel for the applicant in MC (EL. PET.) No. 58 of 2024, submits that this proceeding has to be decided first.

However, Order 6 Rule 16 of the CPC empowers the Court to striking out pleadings if it is an abuse of process of the Court. It is true that the Court can strike out the pleading from the record of the Court on the ground of abuse of process, this process has to be exercised with circumstantial and in rarest of the rare case and this issue has already been addressed by the Hon'ble Supreme Court of India in a decision of **Gopiram Tailor Vs. Om Shanker and Others** reported in **AIR 2000 Raj 282**.

Keeping in view the said provision of Order 6 Rule 16 of the CPC and more so the main proceeding in EL. PET. No. 3 of 2022 is pending for challenging the election of respondent No. 1, and therefore, it is deemed appropriate that the proceeding in MC (EL. PET.) No. 58 of 2024 has to be decided along with the main proceeding in election petition.

Consequently, these matters would be listed on 26.08.2025.

Keeping in view the status in this matter, it is deemed appropriate that the Advocate Commissioner be directed to proceed further for recording evidence in accordance with law, by granting opportunity to both the parties in the proceeding.

*Sandeep*

**CHIEF JUSTICE**