

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

El.Pet. No. 11 of 2022

Soibam Subhaschandra SinghPetitioner(s)

-Versus-

Sagolshem Kebi Devi & 2 OrsRespondent(s)

BEFORE
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

07.12.2022

Heard Mr. H. S Paonam, learned senior counsel assisted by Mr. S. Gunabanta, learned counsel for the petitioner, Mr. A. Mohendro, learned counsel for the respondent No. 1, Mr. N. Bupenda Meitei, learned counsel for the respondent No. 2 and Mr. Ph. Sanajaoba, learned counsel for the respondent No. 3.

After hearing the submission advanced by the counsel for the parties and after careful perusal of the pleadings of the parties, this Court frames the following issues:-

1. Whether the respondent No. 1 did not disclose her real name in the Form 26 affidavit filed along with her nomination paper for the 12th Manipur Legislative Assembly Election, 2022 in respect of 21-Naoriya Pakhanglakpa Assembly Constituency and whether such non-disclosure would amount to swearing of false affidavit/declaration with regard to vital information of the candidate and materially affect the election of the respondent No. 1?
2. Whether the respondent No. 1 did not disclose the non-agricultural lands owned by her spouse in Form 26 affidavit filed by the respondent No. 1 along with her nomination paper for the 12th Manipur Legislative Assembly Election, 2022 in respect of

21-Naoriya Pakhanglakpa Assembly Constituency and whether such non-disclosure would materially affect the election of the respondent No. 1?

3. Whether the respondent No. 1 did not correctly disclose the purchase cost of property belonging to her spouse in Form 26 affidavit filed by her along with her nomination paper for the 12th Manipur Legislative Assembly Election, 2022 in respect of 21-Naoriya Pakhanglakpa Assembly Constituency and whether such non-disclosure would materially affect the election of the respondent No. 1?
4. Whether the petitioner is entitled to be declared as duly elected member in the 12th Manipur Legislative Assembly Election, 2022 in respect of 21-Naoriya Pakhanglakpa Assembly Constituency?
5. Whether the information given by the respondent No. 1 in Form 26 of the Representation of People Act, 1950 was substantially complied or not?
6. Whether there is any cause of action in filing the election petition?
7. Whether the election petition is maintainable or not?

As prayed for by the learned counsel for the parties, list this case again on 22nd December, 2022 for submission of list of witnesses and documents to be relied on by the parties.

JUDGE

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

MC(El.Pet.) No. 133 of 2022 with MC(El.Pet.) No. 57 of 2022

Soibam Subhaschandra SinghApplicant(s)

-Versus-

Sagolshem Kebi Devi & 2 OrsRespondent(s)

BEFORE
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

07.12.2022

As prayed for by the learned counsel for the parties, list this case again on 22nd December, 2022 for consideration and disposal.

JUDGE

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

MC(EI.Pet.) No. 161 of 2022

Sagolshem Kebi Devi

....Applicant(s)

-Versus-

Soibam Subhashchandra Singh & 2 Ors

....Respondent(s)

**BEFORE
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

07.12.2022

Heard Mr. A. Mohendro, learned counsel appearing for the applicant, Mr. H. S Paonam, learned senior counsel assisted by Mr. S. Gunabanta, learned counsel for the contesting respondent No. 1, Mr. N. Bupenda Meitei, learned counsel for the respondent No. 2 and Mr. Ph. Sanajaoba, learned counsel for the respondent No. 3.

The present application has been filed raising objection to the filing of the replication of the election petitioner in response to the written statement filed by the respondent No. 1 in the election petition and also praying for rejecting the said replication.

The ground raised by the applicant is that the said replication has been filed by the election petitioner without seeking leave of this Court as provided under Order 8 Rule 9 of the CPC. In support of his contention, Mr. A. Mohendro, learned counsel for the applicant submitted that in the replication filed by the respondent No. 1 herein, he has introduced new facts and set out new case.

Mr.H. S Paonam, learned senior counsel appearing for the respondent No. 1 submitted that no new facts or pleadings have been introduced by the election petitioner in the said replication and

that all the pleadings made therein are only elaboration of the pleadings made in the election petition.

On examination and perusal of the relevant paragraphs of the said replication as pointed out by the counsel for the applicant, this Court did not find any new pleadings or making out new case, which was not pleaded in the election petition, accordingly, this Court is of the considered view that the objection raised by the applicant is unsustainable and without merit. Accordingly, the present application is hereby rejected.

JUDGE

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