

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

**EL.PET. No. 14 of 2022**

Lourembam Sanjoy Singh

**Petitioner**

**Vs.**

Thounaojam Shyamkumar & ors.

**Respondents**

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. SIDDHARTH MRIDUL**

**ORDER**

**19.07.2024**

Mr. H.S. Paonam, learned senior counsel appears on behalf of the petitioner; and Mr. Abhi, learned counsel, appears on behalf of respondent No. 1.

Having heard learned counsel appearing on behalf of the parties and perused the respective pleadings, the following issues are framed for determination in the present proceedings:-

1. Whether non-disclosure of (i) non-agricultural land under Patta No. 287(old), 769 (New) covered by C.S. Dag. No. 2003, village No. 107- Yambem, Imphal East, Manipur, recorded in the name of Respondent No. 1 in the relevant Column of Part A Para 7 B(ii) of Form-26 Affidavit filed by Respondent No. 1 for the 12<sup>th</sup> Manipur Legislative Assembly Election, 2022 in respect of 7-Andro Assembly Constituency amounts to corrupt practice of undue influence?
2. Whether non-disclosure of (i) agricultural land under Patta No. 189(New) covered by C.S. Dag. No. 190/288, village No. 3-Matai, Imphal East, Manipur, recorded in the name of spouse of the Respondent No. 1 in the relevant Column of Part A Para 7(i) of Form-26 Affidavit filed by Respondent No. 1 for the 12<sup>th</sup> Manipur

Legislative Assembly Election, 2022 in respect of 7-Andro Assembly Constituency amounts to corrupt practice of undue influence?

3. Whether the intentional disclosure of agricultural land being Patta No. 189 (new) covered by the C.S. Dag No. 190/288 recorded in the name of the spouse of the Respondent No. 1 in the wrong column of Part A Para (7) B (iv) (Residential Buildings) in the Form 26 affidavit filed by Respondent No. 1 for the 12<sup>th</sup> Manipur Legislative Assembly election, 2022 in respect of 7-Andro Assembly Constituency amounts to corrupt practice of undue influence?
4. Whether casting of votes of expired voters by impersonation by supporters of Respondent No. 1 in Polling Station Nos. 7/11, 7/12, 7/13, 7/17, 7/18, 7/19, 7/41, 7/42, 7/43 and 7/44 of 7-Andro Assembly Constituency for the 12<sup>th</sup> Manipur Legislative Assembly Election, 2022 amounts to corrupt practice?
5. Whether the election of the Respondent No. 1 from 7-Andro Assembly Constituency for the 12<sup>th</sup> Manipur Legislative Assembly Election, 2022 can be declared as void?
6. Whether the election petitioner is entitled to be declared as duly elected member from 7-Andro Assembly Constituency for the 12<sup>th</sup> Manipur Legislative Assembly Election, 2022?
7. Whether the disclosure of residential building situated on land under Patta No. 287(Old), 769 (New) covered by C.S. Dag No. 2003 Village No. 107- Yambem, Imphal East, Manipur in the column of Para 7B (iv) of the Form 26 affidavit by the Respondent No. 1 amounts to non-disclosure and further amounts to filing of

false affidavit which amounts to undue influence or corrupt practice?

8. Whether the disclosure of residential building situated under Patta No. 189(New), covered by C.S. Dag No. 190/288 Village No. 3 – Matai, Imphal East, Manipur in the column of Para 7B (iv) of the Form 26 affidavit by the Respondent No. 1 amounts to non-disclosure and further amounts to filing of false affidavit which amounts to undue influence or corrupt practice?
9. Whether the Election is maintainable in absence of specific and categorical pleading and statements made in the election petition as regard to casting of votes by the expired voters of 7-Andro Constituency in the 12<sup>th</sup> Manipur Legislative Assembly Election 2022.

List for further proceedings on 22.08.2024.

Indrajeet

**CHIEF JUSTICE**