

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

MAT. APP. No.

Smt. Yumkhaibam Gaitri Devi

... Appellant

- Versus -

Hanglem Ghonideepak

... Respondent

B E F O R E

**HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE A. BIMOL SINGH**

O R D E R

[M. Sundar, CJ]

04.02.2026

[1] Today, in and vide separate order made in MC(MAT APP)

No. 23 of 2025 delay in filing the captioned appeal has been condoned

and this order reads as follows:

[1] Captioned miscellaneous case (MC) has been filed seeking condonation of delay (CoD) qua 24 days delay in filing a statutory appeal under Section 19 of the 'Family Courts Act, 1984'.

[2] In the hearing today, Mr. Anjan Prasad Sahu, learned counsel on record for MC applicant and Ms. Lekhakumari, learned counsel for sole respondent in MC (to be noted, Ms. Lekhakumari has since filed Vakalatnama for the sole respondent) are before this Court.

[3] Adverting to paragraph No. 10 of the condonation of delay (CoD) petition, learned counsel for applicant submits that there was some ambiguity about the period of limitation qua Section 19 of the 'Family Courts Act, 1984' and Section 28 of the 'Hindu Marriage Act, 1955' and that caused the delay.

[4] In response to above plea, learned counsel for respondent submitted that there is no ambiguity as the appellant has filed the captioned statutory appeal under Section 19 of the 'Family Courts Act, 1984'.

[5] Be that as it may, we find that a matrimonial divorce suit being Matrimonial (Divorce) Suit No. 27 of 2021 on the file of

Family Court, Imphal East being a suit filed by the husband seeking dissolution of marriage was decreed (after full contest) on 09.10.2025 vide the impugned judgment. Wife is on appeal and we find that vide the impugned judgment, permanent alimony has also been granted.

[6] Considering the facts and circumstances of the case, taking into account of the fact that the captioned matter is a matrimonial case and also considering that the issue pertains to a technical interplay between two statutes besides noticing that the delay is sought to be condoned for 24 days, this Court deems it appropriate to overrule the objection of respondent as hypertechnical and accede to condonation of delay prayer.

[7] In the result, delay condoned. Captioned MC is ordered as prayed for. There shall be no order as to costs.'

[2] Registry is directed to process the appeal and assign a number if objections are cleared and appeal is otherwise in order.

[3] Be that as it may, this Court is informed that from the wedlock between appellant and respondent, there is an 8 years son who is a special child i.e. autistic. To be noted, appellant is present in Court instructing learned counsel for appellant.

[4] This Court is also informed that proceedings under GAWA (Guardians and Wards Act, 1890) are also underway in the District Court. To be noted, as already alluded to in the CoD order, captioned appeal is directed against a decree of divorce at the instance of the husband.

[5] This Court is also informed that school admission and therapy qua the special child is imminent.

[6] In the light of narrative thus far, this Court finds that elements of settlement exist and deems it appropriate to refer the matter to mediation by ADR Centre (Alternative Dispute Redressal Centre) under the

aegis of MASLSA (Manipur State Legal Services Authority) situate at Lamphelpat.

[7] The Member Secretary of MASLSA shall try and assign the matter to a mediator who has experience in handling matrimonial cases and child custody cases.

[8] The first mediation sitting shall be on 09.02.2026 (Monday) at 02:00 p.m. Learned counsel for appellant (to be noted, appellant is present in Court) and learned counsel for respondent submit that their respective parties will be present for mediation on the aforesaid date, time and venue without insisting on separate hearing notices. On the date of first sitting, it will not be necessary for the child to be taken for mediation but presence of the child, if required, will be at the discretion of the Ld. Mediator depending on what unfurls in mediation proceedings.

[9] We requisition a report from the ADR Centre, Lamphelpat as expeditiously as possible, preferably within 4(four) weeks from 09.02.2026. i.e. on or before 09.03.2026.

[10] List the captioned appeal under the caption 'For Mediation Report' on 10.03.2026.

JUDGE

CHIEF JUSTICE

Bipin