

**HIGH COURT OF MANIPUR,
IMPHAL**

C.R.P.(C. R.P. Art. 227) No. 58 of 2018

Thokchom Dayananda Singh, chourakpa chahi 29 rom suraba, apokpagi ming Th. Dilip Singh, Leiphamna Koirou Mamang Leikai, Thongju Part-II, P.O. Manipur University, P.S. Singjamei, Imphal East District, Manipur-795003.

..... Petitioner

-Versus-

Neptram Tomba Meitei, chourakpa chahi 37 rom suraba, apokpagi ming Leikhidraba N. Menjor Singh, Leiphamna Koirou Mamang Leikai, Thongju Part-II, P.O. Manipur University, P.S. Singjamei, Imphal East District, Manipur-795003.

..... Respondent

**IKAIKHUMNABAGI MASAK OIRABA
THE CHIEF JUSTICE MR. SANJAY KUMAR GI COURT TA**

Petitionergi maikeida	:	Mr. Sanasam Lokhendro Singh
Respondent gi maikeida	:	X
Order takhiba tarikh	:	22/09/2022

(ORDER)

India-gi Constitution-gi Article 227 gi makhada tharakliba revision petition asi Imphal East ki khang-heiraba Civil Judge (Sr. Division) na Judl. Misc. case No. 232 of 2018 (Ref: Original (Money) Suit No. 17 of 2018) da tang 06.07.2018 da takhiba rai (order) dagi thoklakpani. Hairiba order aduda houjikki Petitioner asina Summary Trial aduda masa ngathokchananaba ayaba pibinaba haijaba aduda numit 19 thengthaba adubu ngakpinanaba/kokpinaba tharakkhiba cherol (application) adu Trial Court na kakthatkhi/ yakhide. Yakhidaba adu Code of Civil Procedure, 1908-ta piriba haija nijabagi maong (forms of pleading) ngaktre haibasida yumpham oibani.

Revision asida takhiba tang 12/06/2019gi Rai da hwjikki Respondentna, haibadi Summary Suitgi Plaintiffna, Courtna laknaba kouba cherol phanglabasu Courtta laktre haiba achumba wapham adudi Court asina khangjinlammi amasung chayetnariba tang 06/07/2018 gi Rai asi chatnabada athingba thamkhi. Hairiba marakki rai asi matungtabada matam matam gi sangdoklammi.

Petitioner gi maikaida lepliba khang-heiraba Ukil, Mr. S. Lokhendro, gi warol takhre. Mamangda pankhriba asiga mannana, houjikki respondent, (Money) Suit No. 17 of 2018 da Plaintiff oiriba asi laknaba khanghn cherol tharabasu amadi hiram asi 2018 dagi panduna leirabasu court asida laktre.

Mamut tana parubada, tang 06.07.2018 gi chayetnariba order asida pallibasi Trail Court na wakatlakliba mee-oi (petitioner) gi tharakkhiba numit thintharubagi ngakpinaba tharakpa application adu yakhidabagi amata ngairaba maramdi CPC gi Order 6 Rule 15 gi makhada yaoriba chatna-pathap singbu inba toudana (thou-oidana) hairiba ayiba cherol (application) adu counsel masana tharakpagidamaktani. Matam thintharubagi ngakpinaba tharakkhiba cherol (application) asi mamut tana neinaba matamda mayek sengle madudi Trail Court na hairiba asi chumle maramdi hairiba ayiba cherol (application) asi defendant gi khang-heiraba counselna defendant masa yaoruba toudana cherol (application) asi yamna taha tahaba ma-ong da tharakkhibani. Amuk palludrabasu, asumna chatna pathap tagi natheiba asi court na yaba ngamloi maramdi Court ta channaba niyom chumba haija cherol (plea) sing thaduna tangaiphadaba khongthang sing loukhatpa haibasi mari leinariba kanglup (party) aduna tougadabani. Vakalatnama gi ma-ong asina, nekliba Ukil aduna ayiba cherolsing pisinba amadi kanglup natraga mee-oi ahenba hapchinbagi ayaba pirabasu, hairiba cherolsing aduda kanglup natraga mee-oi adugi sahi amasung thajilliba cherolsing adu mahakna thajinba achumbani haina sougatpa cherolsing tangaifadana yaogadabani Aduna Petitioner na tharakkhiba chunadraba ayiba cherol adu Trial Court na yaroi haina rai takhiba aduda ainna yadaba karisu leite.

Adum-oinamak, Trial Court na chumduna leiraba wapham khara kaothoklure madudi Trial Court na piriba/chatthariba adu CPC gi Order 37 gi makhada summary suit amani amasung asigumba suit (wakat) tadi Defendant na asigumba suit asida masa ngakthokchanabagidamak Court tagi ayaba hanna phangnabagidamak darkartaba khongthangsing loukhatkdabani amadi masida masa ngakthokchaba haibasi mahakki phangpham thokpa natte. Asigumba

mityeng asi hiram asida thamlaga, Trial Court na numit khara thinthakhiba adubu ngakpinaba tharakhiba cherol adu kakthattuna Defendant gi lambi/pambei adu thingbagi mahutta defendant-bu niyom chumba cherol ama thajillakpa yahallampham thokpani. Revision asida pikhiba athingba thambagi rai aduna maram oiraga suit asi makha tana chatthakhidabana, houjikki Petitioner haibadi mamang gi Suit adugi Defendant-na houjikki tangkak asida channaba khongthangsing loukhatpa yagani.

Masigi matung inna, Summary Suit aduda masa ngakthochanaba ayaba loubada thinthakhiba adugidamak ngakpinaba niyom chumba chatnaba yaba cherol ama thabagi ayaba adu, Ld. Civil Judge (Sr. Devision) Imphal East, Manipur gi case registrar/file yaoriba original (money) suit no. 17 of 2018 da defendant oikhiba chathariba case asigi petitioner da piraduna Civil Revision Petition asi loisinle. Asigumba cherol adu chatnapham thokpa chatnapathap enduna rai asi phangba tang adudagi paraga chayol 2(ani)-gi manungda soidana thajingadabani.

Phibhamsing asida, changkhiba selsing-gi matangda Rai amata leiraroi.

CHIEF JUSTICE