
(2022) 08 MAN CK 0035

In the Manipur High Court

Case No : Civil Revision Petition No. 3 Of 2014, Miscellaneous Case (Civil Revision Petition (Civil Revision Petition Art. 227) No. 11 Of 2014

Leishangthem Ningol Ibechoubi Devi

APPELLANT

Vs

Leisangthem Ibomcha @ Ibocha Singh & Ors

RESPONDENT

Date of Decision : 16-08-2022

Acts Referred:

Code Of Civil Procedure, 1908 — Section 115

Citation : (2022) 08 MAN CK 0035

Hon'ble Judges : Sanjay Kumar, CJ

Bench : Single Bench

Advocate : T Rajendra, N Samarjit, E Robindro, S Rabindra, E Nando, N Samarjit, Kh Binoy

Final Decision : Dismissed

Judgement

Sanjay Kumar, CJ

[1] This civil revision petition, under Section 115 CPC, arises out of the order dated 29-03-2014 passed by the learned Civil Judge (Junior Division), Bishnupur, in Judl. Misc. Case No. 13 of 2014. Thereby, the Trial Court allowed the application filed by the defendants for condonation of the delay of 113 days in seeking the setting aside of the judgment and decree dated 26-02-2013 passed in O.S. No. 18 of 2012. Aggrieved thereby, the plaintiff in the suit approached this Court. However, as there was a delay of 137 days on her part in doing so, she filed MC(CRP(CRP Art.227)) No. 11 of 2014 to condone the said delay.

[2] Hitherto, Mr. T. Rajendra, learned counsel, had appeared for the petitioner. However, on 30-05-2022, Mr. Sh. Bikash Sharma, learned counsel, representing Mr. T. Rajendra, learned counsel, informed the Court that the petitioner had expired. He sought time to take necessary steps.

[3] On 11-07-2022, Mr. T. Rajendra, learned counsel, informed the Court that the husband and daughter of the deceased petitioner had taken away the case

record, after obtaining a no-objection vakalat from him. He therefore stated that he would no longer continue to appear in the case. The Receipt dated 30-06-2022 executed by the husband and daughter of the deceased petitioner, in proof of having taken the case record, was also filed. However, as no other learned counsel has taken steps in relation to the deceased petitioner, the matter was adjourned to 16-08-2022 to enable the legal representatives to do the needful at least by the next date.

[4] Today, Mr. Shakir Khan, learned counsel, represents Mr. T. Rajendra, learned counsel for the petitioner, and states that no other learned counsel entered appearance or took steps for the LRs of the deceased petitioner. He reiterates that they are no longer appearing in this case.

[5] Viewed thus, it appears that the LRs of the deceased petitioner are not interested in pursuing this matter.

MC(CRP(CRP Art.227)) No. 11 of 2014 and CRP No.3 of 2014 are accordingly dismissed for non-prosecution.

In the circumstances, there shall be no order as to costs.