

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

**MC (W.A.) No. 69 of 2021**

State of Manipur; & Ors.

***Applicants***

***Vs.***

Lourembam Ningol Ibempishak Devi; & Ors.

***Respondents***

**BEFORE  
HON'BLE THE CHIEF JUSTICE MR. SANJAY KUMAR  
HON'BLE MR. JUSTICE MV MURALIDARAN**

**30.11.2021**

***Sanjay Kumar (C.J.):***

The State of Manipur and its officials in the Printing and Stationery Department and the Pension Cell seek condonation of the delay of 5791 days in filing an appeal against the order dated 29.08.2005 passed by a learned Judge of the Imphal Bench of the Gauhati High Court in W.P. (C) No. 893 of 2005.

Notice having been ordered, Mr. Y. Anil, learned counsel, entered appearance for respondent No. 1 and Mr. S. Suresh, learned counsel, entered appearance for the Accountant General, (A& E), Manipur, respondent No. 2. Despite service of notice, respondent No. 3 did not choose to come before this Court.

Mr. RK Umakanta, learned Government Advocate, appearing for the applicants/appellants, would state that the authorities were constrained to file this appeal as the order sought to be appealed against is in continuation of an earlier order which is contrary to the settled law.

Perusal of the order under appeal reflects that the prayer in the said writ petition was to direct the authorities to comply with the earlier direction of the Court in W.P. (C) No. 1017 of 2002 which was disposed of by order dated

05.12.2003. The learned Judge merely directed such compliance to be made within a time frame.

Significantly, the condone delay application, viz., MC (W.A) No. 68 of 2021 filed by the very same applicants/appellants in relation to the order dated 05.12.2003 passed in W.P. (C) No. 1017 of 2002 was disposed of today observing that the decision of the learned Judge therein turned upon the facts of the case and more particularly, the compromise decree dated 17.06.2000 passed in Title Suit No. 70 of 1999 on the file of the Family Court, Manipur, and that the said decision would not constitute a binding precedent in future cases of similar nature involving two Hindu wives.

In that view of the matter, the present appeal against a simple direction to comply with the earlier order also does not need consideration on merits. All the more so, when it has already been acted upon and there is a delay of 5791 days in its presentation.

Subject to the above observations, the condone delay application is dismissed. In consequence, the unnumbered writ appeal shall stand rejected.

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

A copy of this order shall be supplied online or through whatsapp to the learned counsel for the parties.

**JUDGE**

**CHIEF JUSTICE**

*Sandeep*