

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

MC (El. Petn.) No. 73 of 2023
[Ref: El. Petn. No. 2 of 2022]

Mairembam Prithviraj Singh @ Prithiviraj

Petitioner

Vs.

Thongam Shanti Singh; & Anr.

Respondents

B E F O R E
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH
O R D E R

30.11.2023

Heard Mr. Ajoy Pebam, learned counsel appearing for the applicant, Mr. N. Ibotombi, learned senior counsel assisted by Ms. Babina, learned counsel appearing for the respondent No. 1 and Mr. N. Zequeson, learned counsel assisting Mr. N. Kumarjit, learned senior counsel appearing for the respondent No. 2.

The present application has been filed with a prayer for directing the official/Court witness No. 1 to produce the originals of the following documents before the appointed Advocate Commissioner at the time of his examination:-

Sl. No.	Official Witness	Particulars document to be produced by the Official Witnesses
1.	Oinam Boinao Singh, SDC, Moirang	1) Original copy of the Land record of Agricultural Land (Phourel Class) being Old Patta No. 85 AP corresponding to New Patta No. 1005 covered by C.S. Dag No. 5667 measuring an area of 1.09 acres of Village No. 52-Moirang (at Annexure-A/6 of the Election Petition). 2) Original Copy of the Land record of Agricultural Land (Phourel Class) being New Patta No. 442/1604 covered by C.S. Dag No. 5730/5776 measuring an area of 0.62 acres of Village No. 52-Moirang (at Annexure-A/9 of the Election Petition). 3) Original Copy of the Land record of Agricultural Land (Phourel Class) being Old Patta No. 1033 corresponding to New Patta No. 335 covered by C.S. Dag No. 4126 measuring an area of 1.04816 Hectare/2.59 acres of Village No. 51-Ngangkhalawai (at Annexure-A/12 of the Election Petition).

		4) Original Copy of the Land record of Non-Agricultural Land being New Patta No. 52/9 (B) covered by C.S. Dag No. 1170/P measuring an area of 0.02 acres of Village No. 52-Moirang (at Annexure-A/14 of the Election Petition).
		5) Original Copy of the Land record of Non-Agricultural Land being Old Patta No. 1291 corresponding New Patta No. 491 covered by C.S. Dag No. 2557, 2553/2666 measuring total area of 1.39 acres of Village No. 52-Moirang (at Annexure-A/17 of the Election Petition).
		6) Original Copy of the Land record of Non-Agricultural Land being Old Patta No. 108 part corresponding New Patta No. 366/A covered by C.S. Dag No. 1472/P measuring an area of 0.04 acres of Village No. 52-Moirang (at Annexure-A/20 of the Election Petition).

Mr. Ajoy Pebam, learned counsel appearing for the applicant submitted that the production of the said original document is only for the purpose of reference by the said official/Court witness No. 1 at the time of his examination and not for the purpose of exhibiting those documents as a piece of evidence in connection with the Election Petition.

Mr. N. Ibotombi, learned senior counsel and Mr. N. Zequeson, learned counsel appearing for the respondents fairly submitted that they have no objection in allowing the present application. Accordingly, the present application is allowed.

Registry is directed to issue a notice to the said official/Court witness No. 1, viz. Oinam Boinao, SDC, Moirang requesting him to produce the aforementioned original documents before the appointed Advocate Commissioner at the time of his examination.

It is made clear that the said original document is only for the purpose of reference by the said witness at the time of examination and not for exhibiting as a piece of evidence.

With the aforesaid directions, the application is disposed of.

JUDGE

Sapana