IN THE HIGH COURT OF MANIPUR AT IMPHAL

El. Petn. No.5 of 2017

Dr. Kh. Loken Singh

.... Petitioner/s

- Versus -

Rajkumar Imo Singh & 2 Ors.

.... Respondent/s

BEFORE HON'BLE MR. JUSTICE MV MURALIDARAN

11.04.2022

Heard Mr. M. Gunedhor, learned counsel for the election petitioner and Mr. H.S. Paonam, learned senior counsel for the Respondents.

[2] Mr. H.S. Paonam, learned senior counsel for the Respondents argued the case that This election petition has been filed challenging the Election of the Respondent No.1 on various grounds and the matter is pending for taking trail. While pendency of this election petition, the Election Commission of India has issued a fresh notification for the Election of the 12th Manipur Assembly Election. Therefore, the relief claimed by the petitioner has become infrustuous. In the case of Kashi Nath Mishra V. Vikramaditya Pandey and others, (1998) 8 SCC 735, the Three Bench of the Hon'ble Supreme Court dismissed the election appeal as infructuous, where the term of the assembly expired by efflux of time and another

election was held and another assembly was constituted. Therefore, he prayed this Court to dismiss the election petition as infructuous.

- [3] Mr. M. Gunedhor, learned counsel for the election petitioner also agreed for the same.
- [4] Apart from this, on the same ground, this Court has dismissed the election petition in Election Petition No.7 of 2017 on 30.03.2022 and the said decision is applicable to this case also.
- [5] Accordingly, this election petition in El. Petn. No.5 of 2017 is dismissed as infructuous. No further order is necessary.

JUDGE

- Larson