

MISC. CASE NO. 1 OF 2021
(Ref. : Complaint Case No. 8 of 2021)

20.01.2022

1. Perused the application dated 27.09.2021 filed by the complainant of the present complaint Case No. 8 of 2021.

2. Register this application as separate misc. case.

3. On perusal of the said application dated 27.09.2021, it appears that the complainant of the present complaint wants to withdraw the present complaint with the liberty to file another fresh complaint in the interest of justice. Para 2 of the said application dated 27.09.2021 read as follows:-

“That after time of filing the complaint Case No. 8 of 2021 there are certain formal defect which cannot be cured by way of insertion of some words and figures to the complaint Case No. 8 of 2021.”

4. Under Order XXIII Rule (3) of the Code of Civil procedure (CPC), if the court satisfied that the suit fails by reason of some formal defect, may grant permission to withdraw the suit with liberty to institute a fresh suit in respect of the same subject matter. In the present case, the complainant stated in his application that there are some formal defect. Manipur Lokayukta shall certainly grant the permission to withdraw with liberty to file fresh complaint in respect of the same subject matter if there are formal defects in the complaint.

5. For our satisfaction as to whether the present complaint suffers from formal defect, the personal hearing of the complainant is required. Accordingly, complainant is to appear before us on 28.01.2022.

6. Deputy Registrar, Manipur Lokayukta is directed to intimate this order to the complainant for his appearance.

Sd/-
MEMBER

Sd/-
CHAIRPERSON