

IN THE HIGH COURT OF SIKKIM

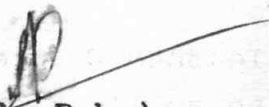
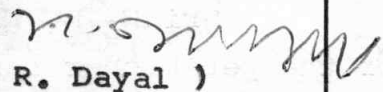
ORDER SHEET

Writ Petition (C) No. 22 of ~~1999~~ 2000

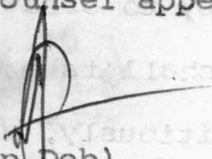
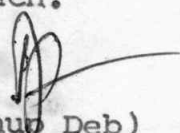
BHANU PRADHAN Petitioner/Appellant

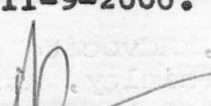
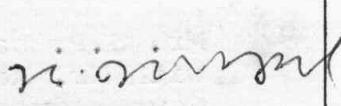
Versus

STATE OF SIKKIM Respondent


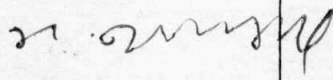

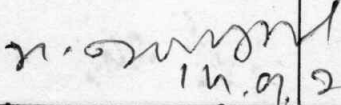
Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
1. 3.4.2000		<p>Present : Mr. N. B. Kharga, Advocate for the petitioner.</p> <p>Mr. S. P. Wangdi, Advocate General with Mr. Karma Thinlay, Asstt. Govt. Advocate for the respondent.</p> <p>-----</p> <p>Admit.</p> <p>Counter-affidavit may be filed by the respondent by 13th April, 2000.</p> <p>Be listed for hearing on 14th April, 2000.</p> <p> (A. Deb) Judge <u>3/4/2000</u></p> <p> (R. Dayal) Chief Justice <u>3/4/2000</u></p>	
2. 13.4.2000		<p>Present : Mr. N.B.Kharga, Advocate for the petitioner.</p> <p>Mr. S.P.Wangdi, Advocate General with Mr. Karma Thinlay, Asstt. Govt. Advocate for the respondent.</p> <p>---</p> <p>This matter is not in today's list. On being mentioned by Mr. Kharga and Mr.Wangdi</p>	

Writ Petition No.22/2000.

Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
4.	11-7-2000	<p>Present: Mr. N.B. Kharga, Advocate for the petitioner.</p> <p>Mr. S.P. Wangdi, Advocate General with Mr. Karma Thinlay, Asstt. Govt. Advocate for the respondent.</p> <p>---</p> <p>This case was fixed for hearing on 28-7-2000. Perused the application for adjournment. It appears that learned Advocate General is required to perform weekly Puja on Thursday and Friday till 4-8-2000 on account of sudden unfortunate death of his younger brother. This case is fixed for 28-7-2000 which is Friday. Mr. N.B. Kharga, learned counsel for the petitioner submits that he has no objection if the case is fixed for hearing on 18-7-2000 instead of 28-7-2000.</p> <p>List it on 18-7-2000 for hearing as agreed by the learned counsel appearing for the parties.</p> <p style="text-align: center;">  (Anup Deb) <u>Acting Chief Justice.</u> </p>	
5.	18-7-2000	<p>Present: Mr. N.B. Kharga, Advocate for the petitioner.</p> <p>Mr. S.P. Wangdi, Advocate General with Mr. Karma Thinlay, Asstt. Govt. Advocate for the respondent.</p> <p>----</p> <p>List it on 18th August, 2000 for hearing before the Division Bench.</p> <p style="text-align: center;">  (Anup Deb) <u>Acting Chief Justice</u> </p>	

Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
6.	18-8-2000	<p>Present: Mr. N.B. Kharga, Advocate for the petitioner.</p> <p>Mr. S.P. Wangdi, Advocate General with Mr. Karma Thinlay, Asstt. Govt. Advocate for the respondent.</p> <p style="text-align: center;">---</p> <p style="text-align: center;">Heard arguments substantially.</p> <p>During arguments, a suggestion has come that the petitioner may be given licence to run quarry at an alternate site. The learned Advocate General submits that if such an application is made, the matter shall be considered sympathetically. In response, Mr. Kharga, learned counsel for the petitioner states that such an application shall be made before the competent authority today. In these circumstances, we direct that the petitioner shall make such an application before the competent authority by tomorrow and the aforesaid authority shall take decision thereon very expeditiously, and in any case, by 7-9-2000.</p> <p style="text-align: center;">Be listed for further hearing and orders on 11-9-2000.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">  (Anup Deb) Judge 18-8-2000. </div> <div style="text-align: center;">  (R. Dayal) Chief Justice 18-8-2000. </div> </div>	

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Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
7.	11.9.2000	<p>Present : Mr. N. B. Kharga, Advocate for the petitioner.</p> <p>Mr. S. P. Wangdi, Advocate General with Mr. Karma Thinlay, Asstt. Govt. Advocate for the respondent.</p> <p>--</p> <p>On request of the learned Counsel for the petitioner for which there is no objection, the matter is adjourned to 14th September, 2000 for hearing.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">  (A. Deb) Judge 11.9.2000 </div> <div style="text-align: center;">  (R. Dayal) Chief Justice 11.9.2000 </div> </div>	
8.	14.9.2000	<p>Present : Mr. N. B. Kharga, Advocate for the petitioner.</p> <p>Mr. S. P. Wangdi, Advocate General with Mr. Karma Thinlay, Asstt. Govt. Advocate for the respondent.</p> <p>--</p> <p>With the consent of the learned Counsel for the parties, it is ordered that the sum of Rs.15,000/- which had been deposited by the petitioner with the respondent for permit to run quarry at Rangpo will be refunded by the respondent to the petitioner within 15 days from today. It is further ordered that the permit to run quarry at the site in question shall not be granted to any other person. It is also made clear that the decision in the writ petition shall not bar the petitioner to claim damages by a Civil Suit if the petitioner is advised to do so.</p> <p>The writ petition thus stands disposed of.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">  (A. Deb) Judge 14.9.2000 </div> <div style="text-align: center;">  (R. Dayal) Chief Justice 14.9.2000 </div> </div>	

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