

# IN THE HIGH COURT OF SIKKIM

## ORDER SHEET

Writ Petition (C)


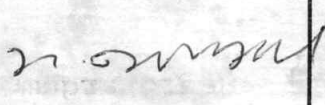
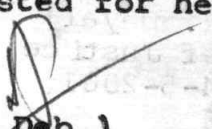
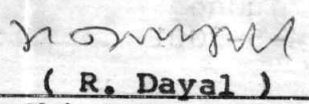
.....No. 54 of 199/ 2000

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Man Kumar Thapa .....Petitioner/Appellant

Versus


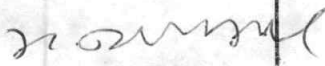


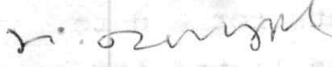
State of Sikkim & Another .....Respondent

Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
1.	6.11.2000	<p>Present : Mr. A. Moulik, Advocate for the petitioner.</p> <p>Mr. J. B. Pradhan, Govt. Advocate with Mr. Karma Thinlay, Asstt. Govt. Advocate for the respondents.</p> <p style="text-align: center;">--</p> <p>Heard.</p> <p>Admit. Counter-affidavit may be filed by the respondents by 22nd February, 2001. Rejoinder-affidavit may be filed by 20th March, 2001.</p> <p>Be listed for hearing on 29th March, 2001.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">               ( A. Deb )              Judge              6.11.2000         </div> <div style="text-align: center;">               ( R. Dayal )              Chief Justice              6.11.2000         </div> </div>	
2.	29.3.2001	<p>Present : Mr. A. Moulik, Advocate for the petitioner.</p> <p>Mr. N. B. Khatiwada, Addl. Advocate General with Mr. J. B. Pradhan, Govt. Advocate for the respondents.</p> <p style="text-align: center;">--</p> <p>Learned Additional Advocate General requests for a date.</p> <p>Be listed for hearing on 20.4.2001.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">               ( A. Deb )              Judge              29.3.2001         </div> <div style="text-align: center;">               ( R. Dayal )              Chief Justice              29.3.2001         </div> </div>	

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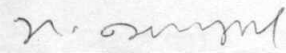

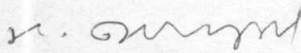

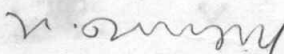
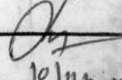
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Serial No. of Order	Date of Order	Order with Signature	Office Note action (if taken on Order)
3.	27.4.2001	<p>Present : Mr. A. Moulik, Advocate for the petitioner.</p> <p>Mr. N.B. Khatiwada, Addl. Advocate General with Mr. J.B. Pradhan, Govt Advocate for the respondents.</p> <p>---</p> <p>Learned Additional Advocate General requests for a date. . . . .</p> <p>Be listed for hearing on 24.05.2001.</p> <p></p> <p>( A. Deb ) Judge 27.4.2001</p> <p></p> <p>( R. Dayal ) Chief Justice 27.4.2001</p>	<p>As directed list 27.4.2001 for hearing.</p> <p></p> <p>27/04/2001</p>
4.	24-5-2001	<p>Present: Mr. A. Moulik, Advocate for the petitioner.</p> <p>Mr. N.B. Khatiwada, Addl. Advocate General with Mr. Karma Thinlay, Asstt. Govt. Advocate for the respondents.</p> <p>---</p> <p>Heard arguments in part.</p> <p>Learned Addl. Advocate General requests for/fortnight time for further arguments.</p> <p>The matter be listed on 7-6-2001 for further arguments.</p> <p></p> <p>(Anup Deb) Judge 24-5-2001</p> <p></p> <p>(R. Dayal) Chief Justice 24-5-2001</p>	

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Writ Petition No.54/2000.


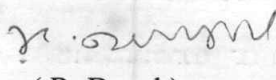

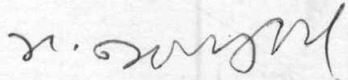
Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
5.	7-6-2001	<p>Present: Mr. A. Moulik, Advocate for the petitioner.</p> <p>Mr. N.B. Khatiwada, Addl. Advocate General with Mr. J.B. Pradhan, Govt. Advocate for the respondents.</p> <p>---</p> <p>Learned Additional Advocate General requests for four weeks' time.</p> <p>The matter be listed on 9-7-2001 for further arguments.</p> <p style="text-align: center;">               (Anup Deb)              Judge              7-6-2001.         </p> <p style="text-align: center;">               (R. Dayal)              Chief Justice              7-6-2001.         </p>	
6.	9.7.2001	<p>Present : Mr. A. Moulik, Advocate for the petitioner.</p> <p>Mr. N. B. Khatiwada, Addl. Advocate General with Mr. Karma Thinlay, Asstt. Govt. Advocate for the respondents.</p> <p>----</p> <p>Learned Additional Advocate General requests for adjournment by 8 weeks.</p> <p>Be listed for further arguments on 10.09.2001.</p> <p style="text-align: center;">               ( A. Deb )              Judge         </p> <p style="text-align: center;">               ( R. Dayal )              Chief Justice         </p>	
7.	10.9.2001	<p>Present : Mr. A. Moulik, Advocate for the petitioner.</p> <p>Mr. N.B.Khatiwada, Addl. Advocate General with Mr. Karma Thinlay, Asstt. Govt. Advocate for the respondents.</p> <p>---</p> <p>Adjournment is requested on behalf of the respondents. Not opposed.</p> <p>Be listed for arguments on 22.2.2002.</p> <p style="text-align: center;">               ( A. Deb )              Judge              10.9.2001         </p> <p style="text-align: center;">               ( R. Dayal )              Chief Justice              10.9.2001         </p>	<p>Date fixed for hearing falls in winter vacation. As directed list on 21-11-2001 for fixing date for hearing. In para paras accordingly.</p> <p style="text-align: right;">D.O.</p> <p style="text-align: right;">               10/11/2001         </p>

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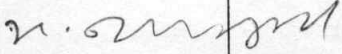
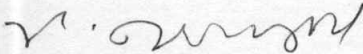
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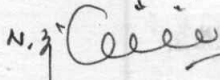

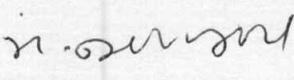
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Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
8.	21.11.2001	<p>Present : Mr. A. Moulik, Advocate for the petitioner.</p> <p>Mr. N. B. Khatiwada, Addl. Advocate General with Mr. Karma Thinlay, Asstt. Govt. Advocate for the respondents.</p> <p>.....</p> <p>The Court will be closed during vacation on 22.02.2002. The matter be listed for hearing on 04.04.2002.</p> <p> ( A. Deb ) Judge 21.11.2001</p> <p> ( R. Dayal ) Chief Justice 21.11.2001</p>	
9.	4.4.2002	<p>Present : Mr. A. Moulik, Advocate for the petitioner.</p> <p>Mr. N. B. Khatiwada, Addl. Advocate General with Mr. J. B. Pradhan, Govt. Advocate for the respondents.</p> <p>----</p> <p>Learned Additional Advocate General says that the matter is under consideration of the Government.</p> <p>Be listed for hearing on 10.6.2002.</p> <p> ( R. Dayal ) Chief Justice 4.4.2002</p>	
10.	10.6.2002	<p>Present : Mr. A. Moulik, Advocate for the petitioner.</p> <p>Mr. N. B. Khatiwada, Addl. Advocate General with Mr. J. B. Pradhan, Govt. Advocate for the respondents.</p> <p>-----</p> <p>Learned Additional Advocate General requests for a date on the ground that the matter is being considered by the Government. For orders, the matter be listed on 29.7.2002.</p> <p> ( Ripusudan Dayal ) Chief Justice 10.06.2002</p>	

Writ Petition No.54/2000.

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11.	23-7-2002	<p>Present: Miss Kesang Diki Bhutia, Advocate for the petitioner.</p> <p>Mr. N.B. Khatiwada, Addl. Advocate General with Mr. J.B. Pradhan, Govt. Advocate for the respondents.</p> <p>---</p> <p>An application has been filed on behalf of respondents for refixing of the date on the ground that the learned Additional Advocate General shall be out of station on 29-7-2002. He also submits that no decision has been taken by the Government and the matter is still under consideration of the Government.</p> <p>The matter be listed for orders on 25-9-2002.</p> <p style="text-align: right;"> (R. Dayal) Chief Justice 23-7-2002.</p>	
12.	25.9.2002	<p>Present : Mr. A. Moulik, Advocate for the petitioner.</p> <p>Mr. N. B. Khatiwada, Addl. Advocate General with Mr. J. B. Pradhan, Govt. Advocate for the respondents.</p> <p>-----</p> <p>Learned Additional Advocate General requests for adjournment on the ground that the matter is under consideration of the Government. Be listed for arguments on 25.02.2003.</p> <p style="text-align: right;"> (Ripusudan Dayal) Chief Justice 25.09.2002</p>	

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13.	25.2.2003	<p>Present : Mr. A. Moulik, Advocate for the petitioner.</p> <p>Mr. N. B. Khatiwada, Addl. Advocate General with Mr. J. B. Pradhan, Government Advocate for the respondents.</p> <p>-----</p> <p>As this matter is of Division Bench, I am not in a position to take up the matter for <sup>hearing</sup> arguments. In view of this, the matter be listed on 19.3.2003 for necessary orders.</p> <p style="text-align: right;">             (N. Surjamani Singh)            Judge            25.02.2003         </p>	
14.	19.3.2003	<p>Present : Mr. A. Moulik, Advocate for the petitioner.</p> <p>Mr. N. B. Khatiwada, Addl. Advocate General with Mr. J. B. Pradhan, Govt. Advocate for the respondents.</p> <p>-----</p> <p>The learned Additional Advocate General submits that the petitioner has been appointed on regular establishment, and, therefore, the petition has become infructuous. Learned Counsel for the petitioner concedes to this. Accordingly, the writ petition is dismissed as infructuous.</p> <p style="display: flex; justify-content: space-between;"> <div style="text-align: center;">             (N. Surjamani Singh)            Judge            19.3.2003         </div> <div style="text-align: center;">             (Ripusudan Dayal)            Chief Justice            19.3.2003         </div> </p>	

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