

IN THE HIGH COURT OF SIKKIM

ORDER SHEET

Writ Petition (C)No. 8 of 199 2002

.....Rikshal Bhutia.....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.	02.04.2002	<p>Present : Mr. B. Sharma, Advocate appearing on behalf of Mr. D. R. Thapa, 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>By an agreement made between the petitioner and the respondents on 03.07.2001, the petitioner was granted contract of collection of parking fees with effect from 03.07.2001 to 31.03.2002. That contract was cancelled vide Radiogram Ext.P-4. Full date is not given on the Radiogram, but there is no dispute that the Radiogram was given on 12.07.2001. The petitioner has claimed a writ for a direction to set aside the cancellation order and also for compensation. A prayer has also been prayed for extension of the period of contract. The writ petition was filed on 30.03.2002 when the term of contract had almost expired. Though, as admitted by the Learned Additional Advocate General, the Radiogram is not properly drafted, yet no relief with respect to the running of the contract can be granted to the petitioner as the period of the contract has already expired.</p>	

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at/		<p>The petition is, accordingly, dismissed in limine. However, it is made clear that this order will not be a bar to the petitioner to claim relief for damages in appropriate proceedings.</p> <p><i>R. Dayal</i> 2.4.2002 (R. Dayal) Chief Justice 02.04.2002</p>	