

HIGH COURT OF SIKKIM
Record of Proceedings through Video Conferencing

RFA No. 3 OF 2020

AVANTIKA CONTRACTORS (I) LIMITED

APPELLANT

VERSUS

U. NARAYANA SHARMA AND ORS.

RESPONDENTS

Date: 04/10/2021

CORAM :

HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, J.

For Appellant	:	Ms Rachhitta Rai, Advocate
For Respondents	:	
R-1	:	Mr. Jorgay Namka, Advocate
R-2	:	Mr. A.K. Upadhyaya, Senior Advocate Mr. Avinash Dewan, Advocate
R-3	:	Mr. Karma Thinlay Namgyal, Central Government Counsel

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Ms Rachhitta Rai, learned Counsel for the appellant, points out that the impugned judgment dated 30.11.2019 passed by the learned District Judge, Mangan, North Sikkim, in Money Suit No. 1 of 2018 (*Mr. U. Narayan Sharma vs. M/s SSKC-SSKI(JV) & Others*) is, in fact a commercial dispute as defined under section 2(c) of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015. She seeks to raise objection to the impugned judgment as according to her the learned District Judge tried it as an ordinary money suit and not as a commercial dispute.

Mr. Jorgay Namka, learned counsel for the respondent no.1 and Mr. Karma Thinlay Namgyal, learned counsel for the respondent no. 3, also agree that in fact it is a commercial dispute.

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In view of Circular No. 6/HCS/Judl. dated 27.04.2021 issued by this High Court, place this case before the Hon'ble Acting Chief Justice for necessary orders.

Judge

Index : ~~Yes~~ / No
Internet : Yes / ~~No~~

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