

HIGH COURT OF SIKKIM

Record of proceedings

RSA. No. 01/2016

Furden Tshering Bhutia & Ors.

.... Appellants

Versus

Payjee Bhutia Sherpa & Ors.

.... Respondents

Date:07.06.2018

CORAM

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

For Appellants : Mr. B. Sharma, Senior Advocate with Mr. Bhola Nath Sharma, Advocates.

For Respondents : Mr. S.S. Hamal and Ms. Priyanka Chhetri, Advocates.
No.1, 2 & 3.

For Respondents : Mr. Karma Thinlay, Sr. Govt. Advocate with Mr.
No. 4, 5 & 6. Thinlay Dorjee Bhutia, Govt. Advocate and Mr. S.K. Chettri, Assistant Govt. Advocate.

.....

I.A. No.02/2018

Heard Mr. B. Sharma Learned Senior Advocate for the Appellant assisted by Mr. Bhola Nath Sharma, Learned Advocate as well as Mr. S.S. Hamal, Learned Advocate assisted by Ms. Priyanka Chhetri, Advocate for the Respondents No.1,2 & 3 and Mr Karma Thinlay, Learned Senior Government Advocate assisted by Mr. Thinlay Dorjee Bhutia, Learned Government Advocate for the Respondents No.4, 5 and 6.

This is an application purportedly under Order 26 Rule 10 A read with section 151 of Civil Procedure Code, 1908 (C.P.C.) filed by the Appellants in the present second appeal preferred. In the said application, it is prayed:

“In the circumstances, it is most humbly prayed that Your Lordship may be pleased enough to send the documents mentioned in order dated 05.09.2012 and annesxue-A14 so that complete report may be received.”

The prayer is vague and on being pointed out, Mr. B. Sharma submits that this application may not be considered now and instead the RSA No.01 of 2016 may be heard finally and decided and if need be in the meanwhile he may seek necessary amendment to the prayer in the said application. The Learned Counsel appearing for the Respondents submits that the paper book being ready the RSA No.01 of 2016 may be finally heard.

In view of the submissions made, list RSA No.01 of 2016 on 10.07.2018 for hearing.

Sd/-
Judge
07.06.2018

tsh Index: ~~yes~~/No
 Internet: yes/~~No~~