

HIGH COURT OF SIKKIM

Record of proceedings

RSA. No. 01/2016

Furden Tshering Bhutia & Ors.

.... Appellants

Versus

Payjee Bhutia Sherpa & Ors.

.... Respondents

Date:16.08.2018

CORAM

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

For Appellants : Mr. B. Sharma, Senior Advocate with Mr. Pratap
Sharma, Advocate.

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

For Respondents : Mr. Karma Thinlay, Sr. Govt. Advocate with Mr.
No. 4, 5 & 6. Thinlay Dorjee Bhutia, Govt. Advocate.

.....

I.A. No. 02/2018

List this application for hearing on 31.08.2018.

I.A. No. 04/2018

There is a delay of eight days in filing the reply to the application under Order XXV1 Rule 10 A read with Section 151 of the Code of Civil Procedure, 1908 (CPC) filed by Respondent No. 2. Not objected to by the Appellant. Delay is sufficiently explained. Delay condoned. Reply to the application under order XXV1 Rule 10 A read with Section 151 of the Code of Civil Procedure, 1908 (CPC) filed by Respondent No. 2, taken on record. Application disposed of.

HIGH COURT OF SIKKIM
Record of proceedings

I.A. No. 06/2018

Mr. S. S. Hamal, Learned Advocate appearing for Respondent Nos.1, 2 and 3 seeks time to file objection to this application under Order 41 Rule 27 read with Section 151 CPC. One week time as prayed for is granted to do so.

List I.A. No.06 of 2018 on 31.08.2018.

I.A. No. 07/2018

This is an application for amendment of I.A. No. 2 of 2018 filed by the Appellant. Mr. S. S. Hamal, Learned Advocate appearing for Respondent Nos. 1, 2 and 3 fairly submits that although he had sought time to file his objection to this application he desires not to do so now. The amendment sought for is only to include the prayer which was missing in the application which need no objection and may be allowed.

In view of the categorical submissions made by the Learned Counsel appearing for Respondent Nos.1, 2 and 3 to which Mr. Karma Thinlay, Learned Senior Government Advocate also does not defer, the application is allowed and the amendment sought for is permitted. Let the amended application be filed within three days by the Appellant.

Judge
16.08.2018