

**HIGH COURT OF SIKKIM**  
**Record of Proceedings**

**RSA No. 02 of 2023**

NAR BAHADUR CHETTRI  
(KHATIWADA) AND ANOTHER

APPELLANTS

VERSUS

DEVI LALL KHATIWADA AND OTHERS

RESPONDENTS

**Date: 07.12.2023**

CORAM:

**THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE**

For Appellants

Mr. N. Rai, Senior Advocate.  
Ms. Tara Devi Chettri, Advocate.

For Respondents

None present.

**ORDER**

Heard Learned Senior Counsel for the Appellants.

The following substantial questions of law are formulated for determination;

- (i) *Whether law permits the Learned First Appellate Court to traverse beyond the pleadings and issues of the parties while determining the issues pertaining to the relationship of the parties and thereby determine the inheritance rights of the female family members.*
- (ii) *Whether the Learned First Appellate Court failed to consider the documents relied upon to determine the status of the suit properties.*

On the above formulated substantial questions of the law, admit the Appeal.

Issue Notice to the Respondents.

Requisites be filed within five days.

Call for the records from the Learned Courts below.

Let Paper-Books be prepared.

In view of the intervening winter vacation, list thereafter.

**Judge**  
07.12.2023