

High Court of Sikkim

Record of proceedings

RSA No.07 of 2020

Dachima Tamang

Appellant

VERSUS

Ran Maya Sherpa and Another

Respondents

Date : 19-11-2020

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

For Appellant

Mr. N. Rai, Senior Advocate.
Mr. Yozan Rai, Advocate.

For Respondents

R-1

None present.

R-2

Mr. Sudesh Joshi, Additional Advocate General.
Mr. Sujan Sunwar, Assistant Government Advocate.

ORDER

Learned Senior Counsel for the Appellant submits that this Second Appeal assails the impugned Judgment and Decree, dated 10-06-2020, passed by the Learned District Judge, Special Division I, East Sikkim, at Gangtok, in Title Appeal No.01 of 2018.

Let the original records of the Learned Trial Court and the Learned First Appellate Court be called for.

I.A. No.02 of 2020 is an application for stay of the operation of the impugned Judgment and Decree dated 10-06-2020 passed by the Learned First Appellate Court. Learned Senior Counsel for the Appellant submits that the impugned Judgment and Decree dated 10-06-2020 has confirmed the Judgment and Decree allowing the prayer of the Plaintiff/Respondent No.1 to cancel the Sale Deed dated 07-08-2010 which was registered on 08-12-2011 by the Office of the Respondent No.2. That, the Sale Deed is registered in favour of the Appellant by the Registering Authority. That, should this stay not be allowed then the instant Appeal will be rendered infructuous.

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After giving due consideration to the submissions, it is hereby ordered that the impugned Judgment and Decree dated 10-06-2020 of the Learned District Judge, Special Division I, East Sikkim, at Gangtok, in Title Appeal No.01 of 2018, be stayed until further orders of this Court.

List on 25-02-2021 for hearing on admission.

Judge
19-11-2020

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