

IN THE HIGH COURT OF SIKKIM

CIVIL APPELLATE JURISDICTION

W. A. No. 01 OF 2015

1. Lazong Bhutia,
Aged about 50 years,
S/o Late Dorjee Ongden Bhutia,
R/o Indira Bypass Road, P. O. & P. S.
Gangtok, East Sikkim.
2. Jagannath Niroula,
Aged about 53 years
S/o Shri. Punnya Prasad Niroula,
R/o Central Pendam,
P. O. Upper Pendam &
P. S. Rangpo,
East Sikkim.
3. Lekhnath Sharma (Dhakal),
Aged about 55 years,

S/o Late Kharka Singh Tamang,
R/o Chalamthang Busty,
P. O. & P. S. Pakyong, East Sikkim.

118. Jiwan Kumar Chettri,
Aged about 48 years,
S/o Late Pukman Chettri,
R/o Martam Busty, P. O. Bermiok
Bazaar & P. S. Kaluk,
West Sikkim. ----- Appellants.

-VERSUS-

1. State of Sikkim,
Through Chief Secretary,
Government of Sikkim,
Secretariat, Gangtok, East Sikkim.
2. The Principal Secretary,
Human Resources Development Department,
Government of Sikkim,
Gangtok, East Sikkim.
3. The Deputy Secretary,
Human Resources Development Department,
Government of Sikkim,
Gangtok, East Sikkim. ----- Respondents.

PETITIONER

ADVOCATE (S)

FOR ----- Mr. Aarohi Bhalla and Ms. Rachhitta Rai.

RESPONDENT

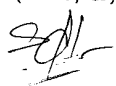
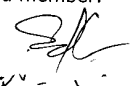
ADVOCATE (S)

FOR ----- Mr. J. B. Pradhan, Addl. Advocate General, Mr. Karma
Thinlay, Sr. Govt. Advocate, Mr. S. K. Chettri and Ms.
Pollin Rai Asst. Govt. Advocate.

Case No.....

Serial No.	Date	Order (s) with Signature (s)
1	2	3
		WA No. 01/2015 Lazong Bhutia & Ors. vs. State of Sikkim & Ors. BEFORE HON'BLE THE CHIEF JUSTICE MR. JUSTICE S. K. SINHA HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE 02. 25.08.15 Present: Mr. Aarohi Bhalla and Ms. Rachhitta Rai, Advocate (Sinha, CJ) for the Appellants. Mr. J.B. Pradhan, Addl. Advocate General with Mr. Karma Thinlay, Sr. Govt. Advocate, Ms. Pollin Rai, Asstt. Govt. Advocate and Mr. Bhusan Nepal, Advocate (Legal Retainer for HRDD) for State-Respondents, on advance copy. ... This is an Appeal in which transfer orders No. 1745/DIR/HRDD(SE) to 1756/DIR/HRDD(SE) dated 17.12.2014 and No. 28/HRDD/W dated 18.12.2014, passed by the State Government, were challenged before the learned Single Judge in W.P.(C) No. 21 of 2015 by filing said joint writ petition by 144 Petitioners. A perusal of the records would show that earlier also the said orders were challenged by filing joint writ petition i.e. W.P.(C) No. 04 of 2015 and the said petition was heard and disposed of by one of us (Sinha, CJ) by Order dated 10.02.2015 in the following manner: - "Heard. After arguing for some time, learned counsel for the petitioners seeks permission to withdraw this writ petition with liberty to file appropriate writ petition(s) for the grievances of the petitioners against the orders of their own transfer. Permission granted, the writ petition, therefore, is disposed of as withdrawn with the aforesaid liberty granted in favour of the petitioners. This order of withdrawal will not affect the rights of other teachers, whose so called authorization has been filed in the writ petition."

Case No.....

Serial No.	Date	Order (s) with Signature (s)
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		Thus, the subject matter, almost, appears to be the same in which one of us had passed the earlier order. Therefore, the Registry is directed to list this matter before a Bench in which one of us (Sinha, CJ) is not a member.  Judge 25.08.2015  Chief Justice 25.08.2015

at/jk

Index : Yes / No
Internet : Yes / No