

High Court of Sikkim

Record of proceedings

WP(C) No.14 of 2020

Moon Drops Enterprises

Petitioner

VERSUS

State of Sikkim and Others

Respondents

Date : 20-07-2020

CORAM :

THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, ACTING CHIEF JUSTICE

For Petitioner

Mr. J. B. Pradhan, Senior Advocate.
Mr. Leada T. Bhutia, Advocate.
Ms. Sabina Chettri, Advocate.

For Respondents

Dr. (Ms.) Doma T. Bhutia, Additional Advocate General.

ORDER

Pursuant to the undertaking of Learned Government Advocate on the last date, viz., 04-07-2020, this Court recorded the Order *inter alia* as follows;

“

That, nevertheless, in view of the provisions of the statute relied on by Learned Senior Counsel for the Petitioner, **Learned Government Advocate undertakes to ensure that necessary steps are taken by the Respondent No.3 within the ambit and parameters carved out by the relevant Act and Rules, on due consideration of the applications of the Petitioner filed under Form IX.**

In the light of the submissions of Learned Government Advocate and consideration thereof the State-Respondents shall file its report of steps taken before the next date fixed.

List on 20-07-2020.”

Learned Additional Advocate General submits that she is “unsure” of the Order of the last date. This submission to say the least, appears to be incongruous and appalling.

Be that as it may, despite the Learned Government Advocate having given such undertaking on 04-07-2020, no steps have been

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taken till date. No report has been filed by the State-Respondent as to why necessary steps were not taken.

It is submitted by Learned Additional Advocate General that due to the COVID 19 pandemic situation, the steps could not be taken as the concerned official of the Respondent No.3 was found to have come into contact with a COVID 19 positive person. The Learned Additional Advocate General is unable to apprise this Court of the specific date on which the concerned official came in contact with the COVID 19 positive person, whether it is immediately after the issuance of the Order *supra* or whether it is a recent development.

It is submitted by Learned Senior Counsel for the Petitioners that in the meanwhile the licences of two other persons have been renewed on 04-07-2020 itself, but the Petitioner has been ignored.

In view of the said circumstances, let the State-Respondent file a report. Considering that the licence of the Petitioner is to expire on 31-07-2020, let the matter be taken up on 23-07-2020.

The report of Respondent No.3 shall also inform this Court of the number of licences that have been renewed from 04-07-2020.

Acting Chief Justice

20-07-2020

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