

W. P. (C) No. **20** OF 2015

1. Shri Kunga Nima Lepcha,
S/o Late C. B. Lepcha,
R/o Upper Tathangchen,
P. O. Raj Bhawan, P. S. Gangtok,
East Sikkim, Sikkim.
2. Timothy William Basnett,
S/o Shri I. K. Basnett,
R/o Daragaon, Tadong,
East Sikkim, Sikkim.
3. Gopal Baraily,
S/o Shri Habbu Baraily,
R/o Rangpo,
East Sikkim.
4. Ugen Nedup Bhutia,
S/o Shri Dawa Tshering Bhutia,
R/o Phensang Busty,
North Sikkim, Sikkim.
5. Sonam Lama,
S/o Late Chung Tshering Bhutia,
R/o Simick Lingzey,
East Sikkim, Sikkim.
6. Shyam Pradhan,
S/o Late Karna Lall Pradhan,
R/o Sang Bazar,
East Sikkim, Sikkim.
7. Prem Singh Tamang,
S/o Shri Kaloo Singh Tamang,
R/o Lumsey Busty, 5th Mile,
P. O. Tadong,
East Sikkim, Sikkim.
8. Taraman Rai,
S/o Late Hangjit Rai,
R/o Ranipool, Marchak,
East Sikkim.
9. Sonam Wangdi Bhutia,
S/o Late Sharki Bhutia,
R/o Hotel Rendezvous,
Gangtok, East Sikkim.

10. Lalit Sharma,
S/o Late Indra Prasad Sharma,
R/o Tarku, South Sikkim.
11. Labzong Bhutia,
S/o Late Akhey Tshering Bhutia,
R/o Hospital Road,
P. O. Ravangla, South Sikkim.
12. Dawa Lepcha,
S/o Shri Lhazang Lepcha,
R/o Lingdong,
P. O. Sankalang, Dzongu, North Sikkim.
13. Pawan Kumar Gurung,
S/o Late D. B. Gurung,
R/o Nam Nang, Gangtok East Sikkim.
14. Kamal Neopaney,
S/o Pravakar Neopaney,
R/o Lower Sichey,
Gangtok, East Sikkim. ----- Petitioners.

-VERSUS-

1. The State of Sikkim,
Through the Chief Secretary,
Having his office at
Tashiling, Gangtok
East Sikkim, Sikkim.
2. Union of India,
Ministry of Home,
Through Secretary,
North Block, New Delhi – 110 001.
3. The Director,
Central Bureau of Investigation (CBI),
Having its office at CGO Complex,
Lodhi Road, New Delhi.
4. Jt. Director,
Central Bureau of Investigation,
Government of India,
Nizam Palace, 2nd MSO Building,
15th Floor 234/4, A J C Bose Road,
Kolkata – 700 020. ----- Respondents.

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*5. Department of
Personnel and Training,
Ministry of Personnel, Public
Grievance and Pension,
Through its Secretary,
Union of India, North
Block, New Delhi*

PETITIONER
ADVOCATE (S)

FOR ----- Mr. Kausik Chatterjee and Mr. Ashok Subba.

RESPONDENT
ADVOCATE (S)

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

Case No.....

Serial No.	Date	Order (s) with Signature (s)
1	2	3
02.	07.03.2016	W.P. (C) No. 20 of 2015 Kunga Nima Lepcha & Ors. vs. State of Sikkim & Ors. BEFORE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE Present: Mr. Kaushik Chatterjee and Mr. Ashok Subba, Advocates for the Petitioner. Mr. J.B. Pradhan, Addl. Advocate General with Mr. S.K. Chettri and Mrs. Pollin Rai, Asst. Govt. Advocates for Respondent No. 1. Karma Thinlay, Central Govt. Counsel for Respondent No.2. Md. Ashraf Ali, Advocate for Respondents No.3, 4 and 5. ----- <u>I.A. No.1 of 2016</u> By filing this Application, Mr. Karma Thinlay, Learned Counsel for Respondent No.2, seeks to file a copy of letter bearing DOP&T ID No.268/6/2015-AVD-II dated 03.12.2015. The same is taken on record. Accordingly, Md. Ashraf Ali, Learned Advocate, submits that he will be representing the Respondent No.5 in terms of the said letter. I.A. No. 1 of 2016 stands disposed of. Md. Asraf Ali, Learned Counsel for the Respondents No. 3, 4 and 5, submits that the Counter-Affidavit filed by the Respondents No. 3 and 4, shall also serve as a Counter-Affidavit for Respondent No.5. Mr. Karma Thinlay, Learned Central Government Counsel, submits that one of the prayers in the Counter-

Case No.....

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		Affidavit filed on 20.08.2015 by the Respondent No.2 seeks its removal from the array of Respondents. A Rejoinder to this effect has also been filed by the Petitioner. Respondent No.2 submits that inadvertently the above prayer was made in the Counter-Affidavit when a separate application ought to have been filed. He seeks and is granted four weeks' time to file an application on this count, on the prayer not being opposed by any of the parties. List for orders on 11.04.2016. Judge 07.03.2016

Index : Yes / No
Internet : Yes / No
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