

IN THE HIGH COURT OF SIKKIM
CIVIL EXTRAORDINARY JURISDICTION

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.

① GOS
② UOI
③ Jt. Secy
④ Jt. Secy

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.

encl - 3
(vide dt 28.4.15)
CMA # 2614/15

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

----- Respondents.

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
07.	16-11-2015	WP(C) No.20 of 2015 Kunga Nima Lepcha and Others vs. State of Sikkim and Others BEFORE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE Present : Mr. Kausik Chatterjee and Mr. Ashok Subba, Advocates for the Petitioners. Mrs. Pollin Rai, Assistant Government Advocate for Respondent No.1. Mr. Karma Thinlay Namgyal, Central Government Counsel with Mr. Thinlay Dorjee Bhutia, Advocate for Respondents No.2 and 5. Md. Ashraf Ali, Advocate for Respondents No.3 and 4. ----- Respondents No.3 and 4 have filed their counter-affidavit. The Petitioners have also filed an affidavit to the effect that in compliance of the Order dated 25-09-2015 passed in CM Appl No.261 of 2015, copy of the Writ Petition has been served on the Respondent No.5 through Mr. Karma Thinlay Bhutia, Learned Central Government Counsel. Mr. Karma Thinlay Namgyal, Learned Central Government Counsel, submits that he is appearing for Respondent No.5, however, he has not received any information from the said Respondent on the service of Notice on them. He, therefore, files a Petition seeking 6 (six) weeks' time to file counter-affidavit. Not opposed. Considered and allowed. Accordingly, IA No.01 of 2015 stands disposed of.

Case No.....

Serial No.	Date	Order (s) with Signature (s)
1	2	3
		The Learned Counsel for the Petitioners seek time to file rejoinders to the counter-affidavits of Respondent No.1, 3, 4 and 5, after the counter-affidavit of the Respondent No.5, if any, is filed. Considered and allowed. List on 07-03-2016 for further orders as prayed for and agreed to by the Learned Counsel for the parties.  Judge 16-11-2015 Index : Yes/No Internet : Yes/No

**IN THE HIGH COURT OF SIKKIM
CIVIL EXTRA ORDINARY JURISDICTION**

C. M. Appl. No. 263 OF 2015
(In W. P. (C) No. 20 OF 2015)

Shri. Kunga Nima Lepcha & Ors. ----- Petitioners.

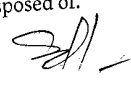
-VERSUS-

The State of Sikkim & Ors. ----- Respondents/Applicants.

PETITIONER
ADVOCATE (S)
FOR ----- Mr. Ashok Subba.

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
02.	16-11-2015	CM Appl No.263 in WP(C) No.20 of 2015 Kunga Nima Lepcha and Others vs. State of Sikkim and Others BEFORE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE Present : Mr. Kausik Chatterjee and Mr. Ashok Subba, Advocates for the Petitioners. Mrs. Pollin Rai, Assistant Government Advocate for Respondent No.1. Mr. Karma Thinlay Namgyal, Central Government Counsel with Mr. Thinlay Dorjee Bhutia, Advocate for Respondents No.2 and 5. Md. Ashraf Ali, Advocate for Respondents No.3 and 4. The Respondents No.3 and 4 have filed their counter- affidavit. Accordingly, this CM Appl stands disposed of.  Judge 16-11-2015 Index : Yes/No Internet : Yes/No

**IN THE HIGH COURT OF SIKKIM
CIVIL EXTRA ORDINARY JURISDICTION**

C. M. Appl. No. 261 OF 2015
(In W. P. (C) No. 20 OF 2015)

Shri. Kunga Nima Lepcha & Ors. ----- Petitioners/Applicants.

-VERSUS-

The State of Sikkim & Ors. ----- Respondents.

PETITIONER
ADVOCATE (S)
FOR ----- Mr. Ashok Subba.

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
02.	16-11-2015	CM Appl No.261 in WP(C) No.20 of 2015 Kunga Nima Lepcha and Others vs. State of Sikkim and Others BEFORE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE Present : Mr. Kausik Chatterjee and Mr. Ashok Subba, Advocates for the Petitioners. Mrs. Pollin Rai, Assistant Government Advocate for Respondent No.1. Mr. Karma Thinlay Namgyal, Central Government Counsel with Mr. Thinlay Dorjee Bhutia, Advocate for Respondents No.2 and 5. Md. Ashraf Ali, Advocate for Respondents No.3 and 4. Amended Memo of Parties has been filed by the Petitioners on 30-09-2015. Consequently, this CM Appl stands disposed of.  Judge 16-11-2015 Index : Yes/No Internet : Yes/No