

HIGH COURT OF SIKKIM

Record of proceedings

W.P. (C) No.23 of 2018

K.N. KHATIWARA & ANR.

..... PETITIONERS

VERSUS

STATE OF SIKKIM & ORS.

..... RESPONDENTS

Date: 06.04.2021

CORAM :

HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, J.

For Petitioners : Mr. Zangpo Sherpa, Advocate.

For Respondent : Mr. Thinley Dorjee Bhutia,
Nos. 1 to 4. Government Advocate.

For Respondent : Mr. A. Moulik, Senior Advocate with
No.5. Ms. K. D. Bhutia and Mr. Ranjit
Prasad Advocates.

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The present writ petition seeks various prayers directing the State respondents to initiate action against respondent no.5 for alleged illegal construction of cement water tank on the petitioners' land; for damages for the construction of the water tank; for direction upon the respondent no.5 to acquire the petitioners land and for a direction upon the respondent no.5 to provide cultivable land in lieu of the land which petitioners desires the respondent no.5 to acquire. The learned counsel appearing for the parties submit that the pleadings are complete and otherwise for the pending I.A. No. 05 of 2020 the matter could be finally decided. I.A. No. 05 of 2020 is an application seeking production of Environemnt Impact Assessment and Environment Management Plan draft filed by the petitioners. This application is objected to by the respondent no.5. Considering the nature of the dispute and prayers sought for in the writ petition this court is of

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the view that the matter could be heard finally on the next date on which date I.A. No. 05 of 2020 may also be considered.

List the matter for hearing as suggested by the learned counsel for the parties on 20.05.2021.

Judge

Index : ~~Yes~~ / No
to/ Internet : Yes / ~~No~~