

HIGH COURT OF SIKKIM
Record of Proceedings**WP(C) No.32 of 2020**

RINKI

PETITIONER

VERSUS

STATE OF SIKKIM AND OTHERS

RESPONDENTS

Date: 03.04.2024

CORAM:

THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE

For Petitioner Mr. J. B. Pradhan, Senior Advocate.
Mr. Ashok Pradhan, Advocate.
Mr. Bhusan Nepal, Advocate.
Mr. D. K. Siwakoti, Advocate.
Ms. Pritima Sunam, Advocate.
Ms. Pema Dechen Bhutia, Advocate.

For Respondents

R-1 to R-4 Mr. Zangpo Sherpa, Additional Advocate General.
Mr. Sujan Sunwar, Assistant Government Advocate.
Mr. Passang Tshering Bhutia, Retainer (R-3).

R-5 Ms. Rachhitta Rai, Advocate.

R-6 Ms. Sangita Pradhan, Deputy Solicitor General of India.

ORDER

- 1.** Heard Learned Counsel for the parties.
- 2.** Learned Additional Advocate General for the State-Respondents No.1 to 4 concedes that the constitution of the erstwhile Committee which submitted its report dated 03-12-2019, [Annexure – P26 (collectively)], was not in terms with the Sikkim On-line Network Lottery Rules, 2001 (Rules of 2001), which mandates that the Committee shall comprise of; (a) the Principal Secretary, Finance Department, Government of Sikkim, as the Chairperson; (b) Director of Sikkim State Lottery, Government of Sikkim, as a Member Secretary; (c) a person nominated by the State Government to represent the marketing agent, appointed under Rule 18 of the Rules of 2001, as a Member and (d) one independent person appointed as a Member by the State Government. That, the said Committee had made enquiries with regard to the Complaint filed by the Petitioner, concerning the jackpot

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prize claimed by her in draw no.34, dated 17-11-2018, at 10.00 p.m. That, in view of the said circumstance, the Committee report referred to *supra* be quashed and set aside. That, another Committee shall be constituted by the State-Respondents with due compliance to the rules to consider the grievances of the Petitioner.

3. Learned Senior Counsel for the Petitioner, Learned Counsel for the Respondent No.5 and Learned Deputy Solicitor General for the Respondent No.6 have no objection to the submissions put forth and to the constitution of a fresh Committee after duly quashing and setting aside the report of the earlier Committee, dated 03-12-2019.

4. Having heard Learned Counsel for the parties and given due consideration to the submissions, the Committee report, dated 03-12-2019, is accordingly quashed and set aside.

5. The State-Respondents, as undertaken by them, shall constitute a Committee in terms of the Rules of 2001 to look into the grievances of the Petitioner.

6. Let the Committee be constituted within one week from today and the report be submitted within four weeks' thereafter.

7. List this matter on 20-05-2024.

Judge
03.04.2024