

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

W. P. (C) No.

36

OF

2016

1. Ashish Subba,
Son of Lall Bdr. Subba,
Resident of Dentam Bazar,
West Sikkim.
2. Suman Pradhan,
Son of Lt. Surja Pradhan,
Resident of Hee Bazar, West Sikkim.
3. Passang Sherpa,
Son of Dukpa Sherpa,
Resident of 2nd Mile, Upper Chandmari,
J.N Road, East Sikkim.
4. Prakash Tamang,
Son of Lt. C.B Tamang,
Resident of Near District Court,
Upper Sichey, East Sikkim.
5. Atul Subba,
Son of Lt. J.L Subba,
Resident of Bermiok Bazaar,
West Sikkim.
6. Tenzing Dorjee Bhutia,
Son of Nim Dorjee Bhuta,
Resident of Lower Chandmari,
J.N Road, East Sikkim.
7. Passang Tshering Bhutia,
Son of Lt. Dorjee Bhutia,
Resident of Lower Tadong,
East Sikkim.
8. Rinzing Namgyal Bhutia,
Son of Passang Tshering Bhutia,
Resident of Kyongsa, Near
Power Colony, Gyalshing,
West Sikkim.
9. Sajal Chettri,
Son of Dak Man Chettri,
Resident of Namphing,
South Sikkim.

10. Bikash Pradhan,
Son of Lt. Narendra Pradhan,
Resident of Ranipool Bazaar,
East Sikkim.
11. Usha Kiran Pradhan,
Daughter of Tulsi Pradhan,
Resident of Tibet Road, Gangtok,
East Sikkim.
12. Chang Chup Dolma Bhutia,
Daughter of Lt. Tenzing Bhutia,
Resident of Sundargaon, Tadong,
East Sikkim.
13. Phur Tshering Sherpa,
Son of Dawa Tshering Sherpa,
Resident of Upper Thambong,
Sombaria, West Sikkim.
14. Jimila Bhutia,
Daughter of Lobzang Bhutia,
Resident of Hospital Road,
Rabongla, South Sikkim.
15. Shamsa Pakimoo (Lepcha),
Son of Lhagay Lepcha,
Resident of Above DAC Road, Pentok
Mangan Bazaar, North Sikkim.
16. Chomu Bhutia,
Daughter of P.T. Bhutia,
Resident of Rongli,
East Sikkim.
17. Nikash Pradhan,
Son of Manoj Kumar Pradhan,
Resident of Rhenock Pacheykhani,
East Sikkim.
18. Anand Nepal,
Son of S.K Sharma,
Resident of Dickling Pacheykhani,
East Sikkim.
19. Chetan Gurung,
Son of K.B Gurung,
Resident of College Valley, Tadong,
East Sikkim.
20. Dawaden Bhutia,
Son of Adup Bhutia,
Resident of Samlik Marchak,
Ranipool, East Sikkim.
21. Thupden Palzang Bhutia,
Son of Lt. Karma Choden Bhutia,
Resident of Yangsum,
West Sikkim.

22. Layzang Bhutia,
Son of Palden Tshering Bhutia,
Resident of Dokham Building,
Namchi, South Sikkim.
23. Sangay Ongda Bhutia,
Son of Mingma Bhutia,
Resident of Chandmari,
Bhusuk Road,
Gangtok, East Sikkim.
24. Meena Gurung,
Daughter of Krishna Bahadur Gurung,
Resident of Phamtam Ravangla,
South Sikkim.
25. Pranisha Ruchal,
Daughter of Lt. Garjaman Ruchal,
Resident of Upper Sichey,
Co-Operative Road,
Gangtok, East Sikkim.
26. Tshering Choden Bhutia,
Daughter of Chultim Bhutia,
Resident of Sinek Bazaar,
Lasso Tashiding, West Sikkim.
27. Crosby Bhutia,
Son of P.T Bhutia,
Resident of Pelling,
West Sikkim.
28. Yogesh Subba,
Son of Dhan Bahadur Subba,
Resident of Lower Thambong,
Sombaria, West Sikkim.
29. Neeka Tamang,
Daughter of Dilip Tamang,
Resident of Pipalay, West Sikkim.
30. Deepa Kapil,
Daughter of N.B Kapil,
Resident of College Valley,
Tadong, East Sikkim.
31. Anurag Pradhan,
Son of Narayan Pradhan,
Resident of Namchi Bazar,
South Sikkim.
32. Manjana Gurung,
Daughter of Lt. Bishnu Prasad Gurung,
Resident of Dentam Bazar,
West Sikkim.

33. Anita Pradhan,
Daughter of Atma Prakash Pradhan,
Resident of Sinek Tashiding Bazar,
West Sikkim.
34. Sherab Gyatso Bhutia,
Son of P.T. Bhutia,
Resident of Chandmari,
Bhusuk Road,
Gangtok, East Sikkim.
35. Bishnu Tamang,
Son of B.B. Tamang,
Resident of Upper Arithang,
Gangtok, East Sikkim.
36. Narendra Kumar Pradhan,
Son of H.B Pradhan,
Resident of Maskey Bhawan,
Sisa Golai, Gangtok;
East Sikkim.
37. Yankee Lamu Bhutia,
Daughter of Gyalpo Bhutia,
Resident of Near D.G Bunglow,
Tathangchen, Raj Bhawan.
38. Bipin Lama,
Son of Lt. Dr. Biren Lama,
Resident of Yonzon Niwas,
Below Palzor Stadium,
Gangtok, East Sikkim.
39. Sonam Thendup Bhutia,
Son of Karma Pintso Chopel Bhutia,
Resident of Upper Tathangchen,
East Sikkim..
40. Rupesh Basnett,
Son of Lt. Chandra Bahadur Basnett,
Resident of Mallbasey Busty,
Soreng, West Sikkim.
41. Arpan Dhakal,
Son of Muktinath Dhakal,
Resident of Assam Linzey,
Daragaon, East Sikkim.
42. Himalaya Gautam,
Son of S.K Gautam,
Resident of Bahai School Road,
Tadong, East Sikkim.

43. Rukmani Pradhan,
Daughter of C.K Pradhan,
Resident of Daragaon,
Upper Tadong, East Sikkim.
44. Chodenla Bhutia,
Daughter of P.C Bhutia,
Resident of Kingstone,
Near Govt. Sec. School,
Rhenock, East Sikkim.
45. Rosan Gurung,
Son of Mohan Gurung,
Resident of Bhutia Busty,
Namchi, South Sikkim.
46. Neelam Chettri,
Daughter of Lt. B.B Chettri,
Resident of Pakyong-Namcheybong,
East Sikkim.
47. Sangam Rai,
Son of Lt. S.R Rai,
Resident of Chumbong, Via
Nayabazar, Soreng
West Sikkim.
48. Dikshi Tamang,
Daughter of Lt. Prakash Tamang,
Resident of Soreng, West Sikkim.
49. Suren Subba,
Son of M.B Subba,
Resident of Singling - Soreng,
West Sikkim.
50. Sonam Lendup Lachungpa,
Son of Chunda Tsarchen Lachungpa,
Resident of Lachung - Fhaka,
North Sikkim.
51. Passang Chopel Lepcha,
Son of Marching Lepcha,
Resident of Upper Rakdong,
East Sikkim.
52. Sonam Palzor Laripa,
Son of Chungtuk Bhutia,
Resident of Sang Phegyong,
East Sikkim.
53. Shan Hang Subba,
Son of Dhan Raj Subba,
Resident of Sombaria Bazar,
West Sikkim.

54. Allen Basnett,
Son of Nanda Lall Basnett,
Resident of Upper Radhu,
Gyalshing,
West Sikkim. ----- Petitioners.

-VERSUS-

1. State of Sikkim
represented through
the Chief Secretary,
Government of Sikkim,
P.O Gangtok,
East Sikkim.
2. The Secretary,
Roads & Bridges Department
Government of Sikkim,
P.O Gangtok,
East Sikkim.
3. The Commissioner cum Secretary,
Department of Personnel,
Administrative Reforms and Training,
Government of Sikkim,
P.O Gangtok, East Sikkim.
4. Sikkim Public Service Commission,
Represented by and through its Secretary,
Government of Sikkim,
Gangtok, East Sikkim. ----- Respondents.

PETITIONER

ADVOCATE (S)

FOR ----- Mr. A. Moulik, Sr. Advocate with Ms. K. D. Bhutia,
Mr. Ranjit Prasad, Ms. Tshering Uden Sherpa and
Ms. Archana Sharma.

RESPONDENT

ADVOCATE (S)

FOR ----- Mr. J. B. Pradhan, Addl. Advocate General,
Mr. Karma Thinlay, Sr. Govt. Advocate, Mr. Sant
K. Chettri and Ms. Pollin Rai Asst. Govt. Advocate

WP(C) No. 36/2016
Ashish Subba & Ors. vs. State of Sikkim & Ors.

BEFORE
MR. JUSTICE SATISH K. AGNIHOTRI, CJ.

04. 13.12.16 Present: Mr. A. Moulik, Sr. Advocate with Ms. Kessang D. Bhutia and Mr. Ranjit Prasad, Advocates for the Petitioners.

Mr. J.B. Pradhan, Addl. Advocate General with Mr. Karma Thinlay, Sr. Govt. Advocate, Mr. S.K. Chettri, Ms. Pollin Rai, Assistant Government Advocates for the State- Respondents.

Mr. Jiwan Kharka, Advocate for Respondent No. 3.

Counter affidavit filed by the respondents does not disclose the complete details. It is cryptic and casual. The respondents are required to give complete details petitioner-wise.

At this stage, learned Additional Advocate General seeks two weeks time to file additional affidavit. It is ordered.

Thereafter, four weeks time is granted to the petitioners to file rejoinder, if so advised.

On completion of the pleadings, the Registry is directed to prepare proper paper books at the cost of the petitioners.

Call on 18.04.2017.

Interim direction granted earlier shall continue.

Chief Justice
13.12.2016

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Index : Yes / No
Internet : Yes / No