

HIGH COURT OF SIKKIM

Record of Proceedings

W.P.(C) No.46 of 2020

DOLMA KUMARI THATAL & ANR.

PETITIONERS

VERSUS

STATE OF SIKKIM & ORS.

RESPONDENTS

Date: 26.07.2021

CORAM:

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

For Petitioners

Ms. Mon Maya Subba, Advocate.
Ms. Mingma Lhamu Sherpa,
Advocate.

Respondents

R-1 & R-2

Mr. Thinlay Dorjee Bhutia,
Government Advocate.

R-3

Mr. Sudhir Prasad, Advocate.

O R D E R

Counter-Affidavit has been filed by Respondents No.1 and 2.

Respondent No.3 undertakes to file Counter-Affidavit during the course of the day.

A Division Bench of this Court vide Judgment pronounced in WP(PIL)No.25 of 2014, dated 01.07.2016, relied on by the Petitioner herein, dealt with the tragic death of an eleven year old School going girl who went swimming in the river Teesta in the afternoon of 18.04.2014. Due to the sudden release of water by the National Hydroelectric Power Corporation Limited Dam located upstream, the child was rendered helpless and unable to cope, as a consequence she drowned. Specific directions were issued in that context to the Respondent No.1 therein i.e. The Government of Sikkim through the Chief Secretary, Respondent No.2 the District Magistrate, East District at Gangtok as well as the Respondent No.3 which was responsible for the tragedy.

Learned Government Advocate seeks to file additional Counter-Affidavit in light of the aforementioned Judgment.

HIGH COURT OF SIKKIM
Record of Proceedings

One week for additional Counter-Affidavit. One week thereafter for Rejoinder.

List on 16.08.2021.

Judge
26.07.2021

ml/ds