

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

W. P. (C) No.

47

OF 2016

1. Md. Shahid,
Son of late Md. Ibrahim,
R/o. Green Hotel,
M. G. Marg, Gangtok,
East Sikkim.
2. Salima Khatoon,
Wife of Karim Qazi,
R/o. New Green Hotel,
Balwakhani, Gangtok,
East Sikkim.
3. Sakina Ibrahim,
Daughter of Late Md. Ibrahim,
R/o. Green Hotel,
M. G. Marg, Gangtok,
East Sikkim.
4. Nargis Wishart,
Wife of Gavin Robert Wishart,
R/o. Dubai, P.O. Box No. 999,
Dubai, UAE.
5. Zeenat Burdick,
Wife of Robert Burdick,
R/o. Canderra 66 Campbell Street Ainslie,
Act 2602 Australila,
6. Nurjahan jIbrahim,
Wife of Shri M.S. Manku,
R/o. flat No. 104,
Villa Royale, Hiranandani Estate,
Off. Ghodbunder Road, Thane (West).

7. Hasina Kapadiya,
Wife of Yusuf Kapadiya,
R/o P.O. Box 8508, Dubai, UAE.

----- Petitioner.

-VERSUS-

1. Mrs. Marium Iqbal,
Wife of Lt. Md. Iqbal,
R/o. Green Hotel,
M.G. Marg, Gangtok,
East Sikkim.
2. Madina Agarwal,
Wife of Sanjay Agarwal,
C/o. Darjeeling Photo Studio,
P.O. Darjeeling, West Bengal.
3. The Registrar /District Collector,
East District, Gangtok,
P.O. Gangtok,
East Sikkim.

----- Respondents.

PETITIONER

ADVOCATE (S)

FOR ----- Mr. A. Moulik, Sr Advocate, Ms. Kesang Diki Bhutia,
Mr. Ranjit Prasad, Mr. Manish Kumar Jain, Ms.
Tshering Uden Sherpa and Ms. Archana Sharma.

RESPONDENT

ADVOCATE (S)

FOR -----

WP (C) No. 47/2016
Md. Shahid & Ors. vs. Marium Iqbal & Ors.

BEFORE
MR. JUSTICE SATISH K. AGNIHOTRI, CJ

02. 22.11.16 Present: Mr. A. Moulik, Sr. Advocate with Ms. K.D. Bhutia,
Advocate for the Petitioners.

Mr. Rahul Rathi, Advocate for Respondent No. 1.

Ms. Pollin Rai, Asstt. Govt. Advocate for Respondent
No. 3

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Respondent No. 1 is represented through Mr. Rahul Rathi, learned Advocate and Respondent No. 3 is represented through Ms. Pollin Rai, learned Asstt. Govt. Advocate. Respondent No. 2, Madina Agarwal, declined to receive the notice sent by post on 02.11.2016, as reported by the Postal Department, thus, it is deemed to have been served.

On the request of learned counsel appearing for the respondents, four weeks' time is granted to file counter affidavit. Four weeks', thereafter, to the petitioners to file rejoinder, if any.

After completion of the pleadings, the Registry is directed to prepare proper paper-book at the cost of the petitioners.

List it for final hearing on 28.03.2017.

Interim stay of the further proceedings dated 28.10.2016 is made absolute. In view of the forgoing, IA No. 01/2016 stands disposed of.

Chief Justice
22.11.2016