

HIGH COURT OF SIKKIM

Record of proceedings

W.P. (C) No. 52 of 2018

MD. NASIRUDDIN ANSARI

.... PETITIONER

VERSUS

STATE OF SIKKIM & ORS.

.... RESPONDENTS

Date:04.11.2019

CORAM

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

For Petitioner : Mr. N. B. Khatiwada, Senior Advocate with Ms. Gita Bista, Advocate.

For Respondent : Ms. Pollin Rai, Assistant Govt. Advocate.
Nos.1 & 4.

For Respondent : Mr. A. K. Upadhyaya, Senior Advocate with Mr. Sonam Rinchen Lepcha, Advocate.
Nos. 2 and 3. Mr. Praveen C. Subarna, (Senior Manager HR), NHPC Ltd. Mr. Rahul Raman Manager (Law) NHPC Ltd.

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This Court had passed certain directions upon the Respondent No.2 and 3 in W.P. (C) No.09 of 2014 in the matter of ***Md. Nasiruddin Ansari v. State of Sikkim*** vide its judgment dated 02.03.2015. During the course of arguments when Mr. A.K. Upadhyaya, learned Senior Counsel for Respondent Nos. 2 and 3 herein was asked whether there was compliance of the directions passed in paragraph 6 of the said judgment with reference to paragraph 6(i) it was submitted that they had in fact complied with the said direction. To reflect that the learned Senior Counsel drew the attention of this Court to Annexure-G at page 240. A perusal of the said document reflects that the same was filed by Respondent Nos.2 and 3 during the hearing of the previous Writ Petition

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pursuant to which the judgment was rendered by this Court. Mr. A. K. Upadhyaya could not explain as to how this document would show compliance of Section 33 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995. Under instructions, he submits that they have complied with Section 33 and seeks an opportunity to file an affidavit along with relevant documents. One week time to do so as prayed for is granted. The directions contained in paragraph 6(ii) and 6(iii) of the said judgment are directions which ought to have been complied with after following the directions contained in paragraph 6(i). Mr. A.K. Upadhyaya therefore, seeks more time to satisfy this Court of the complied of directions of this Court on paragraph 6(ii) and 6(iii) list on 23.11.2019.

Judge
04.11.2019

to/ **Index: yes/No**
Internet: yes/No