

High Court of Sikkim

Record of proceedings

**WP(C) No.55 of 2016**

Pratap Singh Tamang

**Petitioner**

*VERSUS*

State Legislative Assembly Secretariat (SLAS) and Another

**Respondents**

**Date : 03-12-2019**

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

**For Petitioner**

Ms. Gita Bista, Advocate.

Ms. Monika Rai, Advocate.

**For Respondents**

**R-1**

Mr. D. K. Siwakoti, Advocate.

**R-2**

Mr. A. Moulik, Senior Advocate.

Ms. K. D. Bhutia, Advocate.

Mr. Ateendra Raj Bagdas, Advocate.

Mr. Karma P. Wangdi, Advocate.

**ORDER**

It is submitted by Learned Counsel for the Respondent No.1 that the grievance of the Petitioner has been addressed and Order Ref. No.937/ADMN/SLAS, dated 08-11-2019, to this effect issued whereby the *inter se* seniority of the Petitioner and others which was previously fixed vide Office Order No.240/2009-2010/SLAS/ADMN/401, dated 25-03-2010 has been partially modified. Accordingly, the Petitioner has been placed at Serial No.1 preceding the Respondent No.2.

Learned Counsel for the Petitioner verbally submits that she seeks to withdraw the matter in view of the Report dated 27-11-2019 submitted by Respondent No.1 on grounds that her grievance has been addressed by Respondent No.1.

Learned Senior Counsel for Respondent No.2 objects to the prayer for withdrawal *inter alia* on ground that he is also a party to

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the instant proceedings. That, previously a Three-Member Committee was set up to decide the seniority the decision of which finds place in his Counter-Affidavit. Subsequent to this a One Man Committee was again constituted for the self-same purpose overlooking the earlier decision of the Three-Member Committee and no reasons have been furnished for constitution of the One Man Committee. That, the two Committees have thus been constituted for settling disputes pertaining to the seniority of the Respondents No.1 and 2. That, no records have been furnished before this Court to indicate that the Respondent No.2 was summoned at any point of time by the One Man Committee.

In view of the submissions *supra* let Respondent No.1 clarify the instant conundrum and copy of the Report of the One Man Committee be made over to both Petitioner and Respondent No.2.

List on 09-12-2019.

**Judge**

03-12-2019

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