

HIGH COURT OF SIKKIM

Record of proceedings

W.P. (C) No. 57/2015

NAR BAHADUR GURUNG

.... PETITIONER

VERSUS

STATE OF SIKKIM & ORS.

.... RESPONDENTS

Date:24.04.2019

CORAM

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

For Petitioner : Dr. Doma T. Bhutia, Mr. Krishna Bhandari
And Mr. Madhukar Dhakal, Advocates.

For Respondent : Mr. Thupden Youngda, Government Advocate
No.1. with Mr. S. K. Chettri, Assistant Government
Advocate.

For Respondent : Mr. D. K. Siwakoti, Advocate.
No.2 & 3.

For Respondent : Mr. N. Rai, Senior Advocate with Ms.
Nos.4 to 6. Tamanna Chhetri and Ms. Malati Sharma,
Advocates.

For Respondent : Ms. K. D. Bhutia, Advocate.
Nos. 7, 8, 11 to 14,
16, 20, 22, 25, 28,
30 to 76, 78, 80 to
89, 91 to 94 and
97 to 114.

For Respondent : Mr. Tashi Norbu Basi, Legal Aid Counsel.
Nos.9, 10, 18, 23
90 and 96.

For Respondent : Mr. Jorgay Namka, Legal Aid Counsel.
Nos. 15, 21, 24,
77 and 79,

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On 14.03.2019 this Court had permitted further time to Respondent nos. 7 to 114 being represented by Mr. A. Moulik, learned Senior Advocate to file their counter-affidavit within a period of four weeks. Counter-affidavit has not been filed. It is submitted by Ms. K. D. Bhutia, learned Advocate that the reason for the failure

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to file the counter-affidavit was due to the fact that in the meanwhile several of the Respondents who she was representing had approached the Sikkim State Legal Services Authority (SSLSA) for legal aid. It seems Vakalatnama for on behalf of Respondent nos.7 to 114 has not yet been filed. Although oral instructions had been received by Ms. K. D. Bhutia she seeks to file the Vakalatnama to represent Respondent nos. 7, 8, 11 to 14, 16, 20, 22, 25, 28, 30 to 76, 78, 80 to 89, 91 to 94 and 97 to 114 during the course of the day. Permitted. The learned Counsel seeks ten days further time to file the counter-affidavit. In the circumstances, the prayer is granted. Let the counter-affidavit be filed on or before 06.05.2019.

Mr. Tashi Norbu Basi, learned Legal Aid Counsel files Vakalatnama for Respondent nos. 9, 10, 18, 23, 90 and 96. He seeks four week's time to file counter-affidavit. Four week's time is granted. The learned Legal Aid Counsel also submits that he has instructions from the SSLSA to represent Respondent nos.17, 19, 24, 26, 27, 29 and 95 as well. However, the said Respondents have not contacted him as yet. He is therefore, unable to file Vakalatnama today. He seeks further time to do so. Permitted.

Mr. Jorgay Namka, learned Legal Aid Counsel files Vakalatnama for Respondent nos. 15, 21, 24, 77 and 79. He seeks four weeks time to file counter-affidavit. Four week's time is granted.

The rest of the Respondents have not appeared either in person or through Advocate.

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List on 15.05.2019 for appearance of the rest of the Respondents.

Judge
24.04.2019

to/ Index: ~~yes~~/No
Internet: yes/~~No~~