

HIGH COURT OF SIKKIM  
Record of proceedings

**WP(C) No. 60 of 2016**

SIKKIM STUDENTS WELFARE ASSOCIATION OF  
CHANDIGARH

PETITIONERS

VERSUS

STATE OF SIKKIM AND OTHERS

RESPONDENTS

**Date:** 02.11.2018

CORAM:

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

|                                         |   |                                                                                                                                                                                                                |
|-----------------------------------------|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For Petitioner                          | : | Dr. Doma T. Bhutia, Mr. Madhukar Dhakal, Mr. Shakil Karki and Mr. Roshan Sanyashi, Advocates.                                                                                                                  |
| For Respondent(s)<br>For R-1, R-2 & R-6 | : | Mr. Karma Thinlay, Senior Government Advocate with Mr. Thinlay Dorjee, Government Advocate and Mr S.K. Chettri and Mrs. Pollin Rai, Assistant Government Advocates and Mr. Bhusan Nepal, Legal Retainer, HRDD. |
| For R-3, R-8 & R-9                      | : | Mr. Karma Thinlay, Central Government Counsel with Mr. Thinlay Dorjee, Advocate.                                                                                                                               |
| For R-4                                 | : | Mr. A.K. Upadhyaya, Senior Advocate with Mr. D.K. Siwakoti and Ms. Hemlata Sharma, Advocates.                                                                                                                  |
| For R-5                                 | : | Mr. Manish Jain, Advocate.                                                                                                                                                                                     |
| For R-7                                 | : | Mr. Leonard Gurung, Advocate.                                                                                                                                                                                  |

ORDER

It is submitted by learned Senior Counsel for Respondent No.4 that the response has been sent by courier by the Respondent but is yet to be received by them. The tracking record of the courier company has been submitted before this Court for perusal.

It is seen that the shipment was booked from Tanda on 30.10.2018 and was received in Delhi on 01.11.2018 and has therefore not arrived here. This is an indication of the callous attitude

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adopted by the Respondent No.4 towards the situation of the matter at hand despite a specific warning by the Court on the last date that should response not be filed, they would be liable to costs. In such circumstances, let Respondent No.4 pay Rs.1,00,000/- (Rupees one lakh) only, as costs to the Petitioners as prayed for by learned Counsel for the Petitioners.

List on 14.11.2018.

**JUDGE**  
**02.11.2018**

ml                      Index                      : ~~Yes~~ / No  
                                 Internet                      : Yes / ~~No~~