

High Court of Sikkim

Record of proceedings

WP(C) No.60 of 2016

Sikkim Students Welfare Association of Chandigarh

Petitioner

VERSUS

State of Sikkim & Others

Respondents

Date : 29-11-2018

CORAM :

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

For Petitioner

Dr. (Ms.) Doma T. Bhutia, Advocate.

For Respondents

R-1, 2 & 6

Mr. S. K. Chettri, Assistant Government Advocate.

Mrs. Pollin Rai, Assistant Government Advocate.

HRDD

Mr. Bhushan Nepal, Advocate.

R-3, R-8 & R-9

Mr. Karma Thinlay, Central Government Counsel.

Mr. Thinlay Dorjee Bhutia, Advocate.

R-4

Mr. A. K. Upadhyaya, Senior Advocate.

Mr. Sonam Rinchen Lepcha, Advocate.

R-5

Mr. Manish Kr. Jain, Advocate.

R-7

Mr. Leonard Gurung, Advocate.

ORDER

An Affidavit dated 27-11-2018 has been filed by the Respondent No.4 submitting therein that the representative of the Respondent No.4 met the Additional Secretary of the University Grants Commission (UGC) on 26-10-2018. In support thereof, a copy of the visitor's pass has been filed as Annexure R-12. It may be remarked that the Report does not disclose the name of the Additional Secretary or whether infact such meeting ensued. No documentary proof of such meeting exists.

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Learned Counsel for the Respondent No.4 submits that necessary steps will be completed by the month of March, 2019 and time may be afforded till then.

The other parties submit that they have no objection to the time sought for by the Respondent No.4.

Considered.

Respondent No.4 shall however bear in mind that should the matter not be settled by 15-03-2019 they shall compensate each of the students. The Petitioners shall work out compensation for each student based on the notional income to be calculated for each of the students. The assessment shall be made excluding three months after the completion of the course, on the assumption that three months would be required for the Petitioners to obtain employment. The compensation shall be payable from the said time till the matter remains pending herein.

Costs imposed on the Respondent No.4 vide orders dated 02-11-2018 of Rs.1,00,000/- (Rupees one lakh) only, and on 14-11-2018 of Rs.25,000/- (Rupees twenty five thousand) only, have been made over by them and received by Counsel for the Petitioners.

List 20-03-2019.

Judge
29-11-2018

Index : Yes/No

Internet : Yes/No