

WP(C) No. 70/2016
Miss Dibya Gurung Vs. State of Sikkim & Ors.

BEFORE
BHASKAR RAJ PRADHAN, J.

16.11.17 Present: Mr. Rinzing Dorjee Tamang, and Mr. Sonam Chhoden Bhutia, Advocates for the Petitioner.

Mr. S.K Chhetri, Asst. Govt. Advocate and Mr. J.K Kharka, Advocate (SPSC) for Respondents No. 1 and 2.

Mr. Rahul Rathi and Ms. Phurba Diki Sherpa, Advocates for Respondent No. 3.

Mr. A.K Upadhyaya, Sr. Advocate with Ms. Aruna Chhetri, Advocate for Respondent No. 4.

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The amended Writ Petition has been filed by the Petitioner on 28.10.2017 as per the direction of this Court dated 04.10.2017. Two weeks' time thereafter, was given to the Respondents to file their amended counter affidavit.

Mr. J.K Kharka, learned Counsel appearing for the Respondent no. 2 submits that amended counter affidavit has been filed on behalf of the Respondent. No 2 and the same may be taken on record.

Let the amended counter affidavit be taken on record.

Mr. A.K Upadhyaya, learned Senior Advocate assisted by Mr. Aruna Chhetri, for Respondent No. 4 submits that the amended counter affidavit is ready and shall be filed during the course of day.

Permitted.

I.A No. 04/2017

An application has been preferred by the learned Counsel appearing for the Respondent No. 3 seeking three weeks' time to file his amended counter affidavit. Perused the application.

Time had been granted as per the asking on 04.10.2017 and the Respondents were required to file their amended counter affidavit within two weeks, on the filing of the amended Writ Petition which was done on

28.10.2017, a day before the permitted time. As per the averment in the application, the petitioner had sent the response sought for by the learned Counsel on 09.11.2017. Today is 16.11.2017. The application is devoid of merits. However, in the interest of justice two weeks' further time is granted to the Respondent No. 3 making it clear that no further application for time shall be entertained.

I.A No. 04/2017 is accordingly disposed of.

I.A No. 05/2017

This is an application preferred by the learned Counsel for the Respondent No. 1 for seeking further three weeks' time to file his amended counter affidavit.

Two weeks' time is also granted to the Respondent No. 1 to file his amended counter affidavit.

I.A No. 05/2017 stands disposed of.

The Rejoinder if any, shall be filed within one week thereafter.

List the matter on 13.12.2017.

Judge
16-11-2017

/avi **Index : Yes / No**
 Internet : Yes / No