

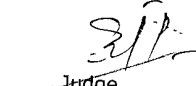
02

OF 2015

- VERSUS-**

1. State of Sikkim,
Represented by and through the
Principal Chief Engineer-cum-Secretary,
Water Security and Public Health Engineering Department,
Nirman Bhawan, Gangtok.
 2. The Additional Chief Engineer,
Water Security and Public Health Engineering Department,
Nirman Bhawan, Gangtok.
 3. M/s K. N. B. Consortium,
C/o Shri K. N. Bhutia,
Having address at:
(i) Penlong Bazar, P. O Penlong,
P. S Sadar, Gangtok, East Sikkim.
(ii) Lal Market Road, Gangtok,
P. O Gangtok, East Sikkim.
 4. Shri Thinley Tshering Bhutia,
Ex - Minister, Near Ruchi Clinic,
Gangtok, East Sikkim.
 5. The Cabinet Secretary,
C/o Chief Secretary Office,
Government of Sikkim,
Gangtok, East Sikkim.
 6. Union of India,
Represented by and through the Secretary,
Urban Development Department,
Nirma Bhawan,
New Delhi.
- Respondents.
- PETITIONER
ADVOCATE (S)
FOR ----- Mr. A. Moulik, Sr. Advocate, Mr. Manish Kumar
Jain and Mr. Ranjit Prasad.
- RESPONDENT
ADVOCATE (S)
FOR ----- Mr. J. B. Pradhan, Addl. Advocate General,
Mr. S. K. Chettri and Ms. Pollin Rai, Asst.
Government Advocate.

Case No.....

Serial No.	Date	Order (s) with Signature (s)
1	2	3
		W.P.(PIL) No. 02/2015 Chewang Pintso Bhutia & Ors. vs. State of Sikkim & Ors. BEFORE HON'BLE THE CHIEF JUSTICE MR. JUSTICE S. K. SINHA HON'BLE MRS. JUSTICE MEENAKSHI M RAI, JUDGE 03. 15.05.15 Present: Mr. A. Moulik, Sr. Advocate with Mr. Ranjit Prasad, (Sinha, CJ) Advocate for the Petitioners. Mr. J.B. Pradhan, Addl. Advocate General with Mr. S.K. Chettri, Asstt. Govt. Advocate for the State-Respondents 1, 2 and 5. Mr. Bhusan Nepal and Mr. D.K. Siwakoti, Advocates for Respondent No. 3. Mr. Ajay Rathi, Mr. Rahul Rathi and Mr. Adithya Makkim, Advocates for Respondent No. 4. Ms. Pollin Rai, Advocate on behalf of Mr. Karma Thinlay, Central Govt. Advocate for Respondent No. 6/Union of India. ... Counter affidavit on behalf of Respondents 1, 2 and 5 has been filed. Learned counsel for other Respondents pray for and are granted a week's time to file their counter affidavits. List for further orders on 22.05.2015.  Judge 15.05.2015  Chief Justice 15.05.2015
		at/jk Index : Yes / No Internet : Yes / No

**IN THE HIGH COURT OF SIKKIM
CIVIL EXTRA ORDINARY JURISDICTION**

C.M. Appl. No. 103 of 2015
(In W.P.(PIL) No. 02 of 2015)

1. Shri Chewang Pintso Bhutia,
S/o Late Sonam Pintso Bhutia,
R/o Balwakhani, Gangtok,
P. O Raj Bhawan, East Sikkim.
2. Shri Rinzing Dorjee Gyaltzen Bhutia,
S/o Pema Chewang Bhutia,
R/o Phensong,
P. O Phensong, P. S Phodong.
North Sikkim. ----- Petitioners.

-VERSUS-

1. State of Sikkim,
Represented by and through the
Principal Chief Engineer-cum-Secretary,
Water Security and Public Health Engineering Department,
Nirman Bhawan, Gangtok.
- 2 The Additional Chief Engineer,
Water Security and Public Health Engineering Department,
Nirman Bhawan, Gangtok.
3. M/s K. N. B. Consortium,
C/o Shri K. N. Bhutia,
Having address at:
(i) Penlong Bazar, P. O Penlong,
P. S Sadar, Gangtok, East Sikkim.
(ii) Lal Market Road, Gangtok,
P. O Gangtok, East Sikkim.
4. Shri Thinley Tshering Bhutia,
Ex – Minister, Near Ruchi Clinic,
Gangtok, East Sikkim.
5. The Cabinet Secretary,
C/o Chief Secretary Office,
Government of Sikkim,
Gangtok, East Sikkim.
6. Union of India,
Represented by and through the Secretary,
Urban Development Department,
Nirma Bhawan, New Delhi. ----- Applicants/Respondents.

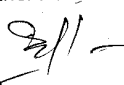
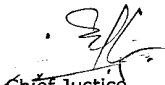
PETITIONER
ADVOCATE (S)

FOR ----- Mr. A. Moulik, Sr. Advocate, Ms. K. D.
Bhutia and Mr. Ranjit Prasad.

RESPONDENT
ADVOCATE (S)

FOR ----- Mr. J. B. Pradhan, Addl. Advocate General,
Mr. S. K. Chettri and Ms. Pollin Rai, Asst.
Government Advocate.
Mr. Karma Thinlay, Central Govt. Counsel
and Mr. Thinlay Dorjee Bhutia.

Case No.....

Serial No.	Date	Order (s) with Signature (s)
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02.	15.05.15 (Sinha, CJ)	CMA No. 103/2015 in W.P.(PIL) No. 02/2015 Chewang Pintso Bhutia & Ors. vs. State of Sikkim & Ors. BEFORE HON'BLE THE CHIEF JUSTICE MR. JUSTICE S. K. SINHA HON'BLE MRS. JUSTICE MEENAKSHI M RAI, JUDGE Present: Mr. A. Moulik, Sr. Advocate with Mr. Ranjit Prasad, Advocate for the Petitioners. Mr. J.B. Pradhan, Addl. Advocate General with Mr. S.K. Chettri, Asstt. Govt. Advocate for the State-Respondents 1, 2 and 5. Mr. Bhusan Nepal and Mr. D.K. Siwakoti, Advocates for Respondent No. 3. Mr. Ajay Rathi, Mr. Rahul Rathi and Mr. Adithya Makkim, Advocates for Respondent No. 4. Ms. Pollin Rai, Advocate on behalf of Mr. Karma Thinlay, Central Govt. Advocate for Respondent No. 6/Union of India. Heard. This is an Application, filed on behalf of Respondents 1, 2 and 5, seeking time to file counter affidavit. Mr. Pradhan, learned counsel for Respondents 1, 2 and 5 submits that the counter affidavit has already been filed, therefore, he is not pressing this Application. Prayer allowed. CMA No. 103/2015, therefore, is dismissed as not pressed.  Judge 15.05.2015  Chief Justice 15.05.2015

at/jk
Index : Yes / No
Internet : Yes / No

**IN THE HIGH COURT OF SIKKIM
CIVIL APPELLATE JURISDICTION**

C.M. Appl. No. 113 of 2015
(In WP(C). No. 02 of 2015)

1. Shri Chewang Pintso Bhutia,
S/o Late Sonam Pintso Bhutia,
R/o Balwakhani, Gangtok,
P.O. Raj Bhawan, East Sikkim.
 2. Shri Rinzing Dorjee Gyaltzen Bhutia,
S/o Pema Chewang Bhutia,
R/o Phensong,
P.O. Phensong, P.S. Phodong,
North Sikkim.
-Applicants

Versus

1. State of Sikkim,
Represented by and through the
Principal Chief Engineer-cum Secretary,
Water Security and Public Health
Engineering Department,
Nirman Bhawan, Gangtok.
 2. The Additional Chief Engineer,
Water Security and Public Health
Engineering Department,
Nirman Bhawan, Gangtok.
 3. Mr.K.N.B. Consortrium,
C/o shri K.N. Bhutia,
(i)Penlong Bazar, P.O.Penlong,
P.S. sadar, Gangtok, East Sikkim.
(ii) Lal Market Road, Gangtok,
P.O. Gangtok, East Sikkim.
 4. Shri Thinley Tshering Bhutia,
Ex-Minister, Near Ruchi Clinic,
Gangtok, East Sikkim.
 5. The Cabinet Secretary,
C/o Chief Secretary Office,
Government of Sikkim,
Gangtok, East Sikkim.
 6. Union of India,
Represented by and through the
Secretary, Urban Development
Department, Nirman Bhawan,
New Delhi.
-Respondents

PETITIONER
ADVOCATE (S)
FOR -----

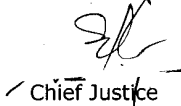
Mr.A.Moulik,Sr.Advocate with Mr.Manish Kr.Jain,
Mr.Ranjeet Prasad and Ms.K.D.Bhutia

RESPONDENT
ADVOCATE (S)
FOR -----

Mr. J. B. Pradhan, Addl. Advocate General with
Mr. S. K. Chettri and Ms. Pollin Rai, Asstt. Govt.
Advocates. Mr. Karma Thinlay, Central Govt. Advocate
with Mr. Thinlay Dorjee Bhutia, Mr. Rahul Rathi and
Mr. Aditya Makkim

Sl. No.	DATE	ORDER (S) WITH SIGNATURE (S)
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		CMA No. 113/2015 in W.P.(PIL) No. 02/2015 Chewang Pintso Bhutia & Ors. vs. State of Sikkim & Ors. BEFORE HON'BLE THE CHIEF JUSTICE MR. JUSTICE S. K. SINHA HON'BLE MRS. JUSTICE MEENAKSHI M RAI, JUDGE 01. 15.05.15 Present: Mr. A. Moulik, Sr. Advocate with Mr. Ranjit Prasad, (Sinha, CJ) Advocate for the Petitioners. Mr. J.B. Pradhan, Addl. Advocate General with Mr. S.K. Chettri, Asstt. Govt. Advocate for the State- Respondents 1, 2 and 5. Mr. Bhusan Nepal and Mr. D.K. Siwakoti, Advocates for Respondent No. 3. Mr. Ajay Rathi, Mr. Rahul Rathi and Mr. Adithya Makkim, Advocates for Respondent No. 4. Ms. Pollin Rai, Advocate on behalf of Mr. Karma Thinlay, Central Govt. Advocate for Respondent No. 6/Union of India. ... Heard. This is an Application for grant of interim relief. Mr. A. Moulik, learned senior counsel for the Petitioners, submits that a work of more than Rs.14.00 crores has been awarded to Respondent No. 3 even without calling a tender for the same. Mr. J.B. Pradhan, learned Addl. Advocate General, appearing for Respondents 1, 2 and 5 submits that it was a

Case No.....

Serial No.	Date	Order (s) with Signature (s)
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		work relating to an earlier work, which was awarded and executed by Respondent No. 3 after due tendering process and further that presently about 42% of the work has already been completed. Let a reply to this Application be filed within seven days from today. List along with W.P.(PIL) No. 02/2015 on 22.05.2015.  Judge 15.05.2015  Chief Justice 15.05.2015

at/jk

Index : Yes / No
Internet : Yes / No