

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

W. P. (PIL) No. 06 OF 2015

Shri. Biraj Adhikari,
S/o Shri. T. P. Sharma,
R/o Baha'i School Road,
Tadong, Gangtok, East Sikkim. ----- Petitioner.

-VERSUS-

1. State of Sikkim,
Notice through: The Chief Secretary,
Government of Sikkim,
Office of the Chief Secretary,
Gangtok, East Sikkim.
2. The Secretary,
Home Department,
Government of Sikkim,
Gangtok, East Sikkim.
3. The Secretary,
Land Revenue & Disaster Management Department,
Government of Sikkim,
Gangtok, East Sikkim.
4. The District Collector,
East District,
Sichay, Gangtok, East Sikkim.
5. The District Collector,
South District,
Namchi, South Sikkim.

6. The District Collector,
West District,
Tikjuk, Gyalshing, West Sikkim

7. The District Collector,
North District,
Pentok, Mangan, North Sikkim.

8. The Director General,
Sikkim Police,
Police Headquarter,
National Highway, Gangtok.

9. The Station House Officer,
Sadar Police Station,
Gangtok, East Sikkim.

10. Union of India,
Notice through: The Secretary,
Home Ministry,
North Block, New Delhi.

----- Respondents.

PETITIONER

ADVOCATE (S)

FOR ----- Mr. Sudesh Joshi, Mr. Deepen Pradhan,
Ms. Tengop Subba and Mr. Sishir Mothay.

RESPONDENT

ADVOCATE (S)

FOR ----- Mr. J. B. Pradhan, Addl. Advocate General,
Mr. Karma Thinlay, Sr. Govt. Advocate, Mr. S. K.
Chettri and Ms. Pollin Rai Asst. Govt. Advocate.

Case No.

Serial No.	Date	Order (s) with Signature (s)
1	2	3
01.	15.10.15 (Sinha, CJ)	W.P.(PIL) No. 06/2015 Biraj Adhikari vs. State of Sikkim & Ors. BEFORE HON'BLE THE CHIEF JUSTICE MR. JUSTICE S. K. SINHA HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE Present: Mr. Sudesh Joshi, Advocate for the Petitioner. Mr. J.B. Pradhan, Addl. Advocate General with Ms. Pollin Rai, Asstt. Govt. Advocates for State-Respondents 1 to 9 on advance copy. Mr. Karma Thinlay, Central Government Advocate for Respondent No. 10 on advance copy. ... Heard on admission. The Land Revenue and Disaster Management Department, Government of Sikkim issued an Appeal (Annexure P-10) sometimes in the year 2010 that Pink Cards were to be issued to the genuine Sikkim Subject Holders, because it was in the knowledge of the Government that 31,180 reported false cases were there in which such Certificates were issued. Mr. Sudesh Joshi, learned counsel appearing on behalf of the Petitioner, submits that even after having knowledge about 31,180 reported false cases regarding issuance of false Sikkim Subject Certificates, the Government did nothing and the persons holding such Certificates are taking illegal benefit thereof.

Case No. W.P. (PL) No. 06/15

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		Issue notice to Respondents 1, 2, 3 and 10 to make their responses on the limited issue as to what action was taken by the Government after the above numbers of reported false cases came to their notice in the year 2005? Ms. Pollin Rai accepts notice on behalf of Respondents 1, 2 and 3, likewise Mr. Karma Thinlay accepts notice on behalf of Respondent No. 10. Both pray for and are granted six weeks' time to file their responses. List for further orders on 03.12.2015.  Judge 15.10.2015  Chief Justice 15.10.2015

jk/at

Index : Yes / No
Internet : Yes / No