

V

**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,
Sichey, 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.

WP (PIL) No. 06/2015
Biraj Adhikari vs. State of Sikkim & Ano.

BEFORE
MR. JUSTICE SATISH K. AGNIHOTRI, CJ &
MRS. JUSTICE MEENAKSHI MADAN RAI, J.

14. **27.10.16** Present: Mr. Sudesh Joshi, Advocate for the Petitioner.
 (Agnihotri, CJ)
- Mr. J.B. Pradhan, Addl. Advocate General with Mr.
 Santosh Kr. Chettri and Ms. Pollin Rai, Asstt. Govt.
 Advocates for Respondents No. 1, 2 and 3.
- Mr. Karma Thinlay, Central Govt. Advocate for
 Respondent No. 10.
- ...

Initially, it is brought to our notice that total numbers of 31188 cases are found doubtful. However, subsequently, the State Government has taken a stand that out of 31188 cases, 15788 cases are categorized as minors and others, who were not granted Certificates. In remaining 15400 cases, the records are not available in respect of so many cases in all the Districts. Thus, verification could be made only in respect of total 3134 cases, records of which were sent to the Headquarters from the respective District Collectorates.

Learned Counsel appearing for the Petitioner doubts the statements made by the Authorities and submits that a Team of Advocates be constituted to examine the records in presence of a competent Officer and submit a Report.

4

Learned Senior Government Advocate has no objection to the suggestions made by Learned Counsel for the Petitioner.

Accordingly, we constitute a Committee of Mr. Sudesh Joshi and Mr. Jorgay Namka, learned Advocates, to visit the respective places and have inspection in presence of the competent Officer of the State Government and submit a Report within a period of six weeks.

Call on 23-02-2017.

sd-
Judge
27.10.2016

sd
Chief Justice
27.10.2016

jk/ds Index : Yes / No
Internet : Yes / No