

High Court of Sikkim

Record of proceedings

WP(PIL) No.06 of 2016

Nim Chogyal Lepcha & Another vs. State of Sikkim & Another

BEFORE

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

11. 09-08-2017 Present : Mr. Pema Ongchu Bhutia, Advocate for the Petitioners.

Mr. Karma Thinlay, Senior Government Advocate with Mrs. Pollin Rai, Assistant Government Advocate for the State-Respondents.

The State-Respondents have filed a Report dated 05-08-2017, informing therein that there was no back cutting done on the particular stretch of road where the private building of one Shri C. S. Ghimirey is located, which rests on a massive natural rock. That, the top soil on the rock has been washed away due to torrential rainfall, but due to the monsoons, a retaining wall cannot be constructed immediately and the State-Respondents will take immediate steps after the rainy season.

So far as the drainage along the road is concerned, Counsel for the Petitioners submits in his Report dated 03-08-2017 that no steps have been taken for such construction or for protective works along the road.

Both Reports are taken on record.

The State-Respondents undertake to examine the feasibility of constructing drains along the roads and submit a Report and urge that meanwhile the Petitioners ensure that water flow from the building of Shri C. S. Ghimirey be directed to a proper drainage system.

Let the Petitioners take steps and file a Report.

List on 30-08-2017.

Judge
09-08-2017

Index : Yes/No

Internet : Yes/No