

HIGH COURT OF SIKKIM
Record of Proceedings

W.P. (PIL) No. 06/2016

NIM CHOGYAL LEPCHA & ANR.

Petitioner (s)

VERSUS

STATE OF SIKKIM & ANR.

Respondent (s)

Date: 23/04/2018

CORAM :

**HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN**

For Petitioner(s) : Ms. Gita Bista, Advocate as Amicus Curiae.

For Respondent (s) : Mr. Karma Thinlay, Sr. Govt. Advocate with Mr. Thinlay Dorjee Bhutia, Govt. Advocate, Mr. S.K. Chettri and Ms. Pollin Rai, Asstt. Govt. Advocates.

Mr. Dorjee Dadul Bhutia, Addl. Chief Engineer, Roads & Bridges Dept., Govt. of Sikkim, as Court Commissioner.

Mr. Subodh Kumar Malik, General Manager (P), NHIDCL.

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Affidavit/Status Report dated 20th April 2018 filed on behalf of the General Manager (P), National Highways & Infrastructure Development Corporation Ltd. (NHIDCL) as well as the affidavit dated 20th April 2018 filed by the Court Commissioner are taken on record.

Learned Amicus Curiae is required to examine the report and submit response, if any.

In the meantime, the authorities are expected to seek instructions on the advice of Court Commissioner that the RBI Grade-81 technology is most suitable for Indian conditions; as this technology is also accepted by various Government

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organizations, private concessionaries and contractors. It is further stated that RBI Grade-81 is an accredited material by Indian Road Congress (IRC) and the technology is certified by Ministry of Environment, Forest & Climate Change and Indian Institute of Toxicology Research (CSIR) for its environmental benefits with durability and sustainability.

The State Government as well as the NHIDCL are directed to examine the feasibility and submit the report before the next date of hearing.

Call on 24.05.2018.

Judge
23.04.2018

Chief Justice
23.04.2018

Index : ~~Yes~~ / No
Internet : Yes / ~~No~~