

**High Court of Sikkim**

Record of proceedings

**WP(PIL) No.08 of 2020**

Mani Kumar Subba

Petitioner

*VERSUS*

The State of Sikkim and Others

Respondents

Date : **04-06-2021**

CORAM : **THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE**  
**THE HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, JUDGE**

For Petitioner            Mr. Yam Kumar Subba, Advocate.

For Respondents

R-1 to R-3            Mr. Sudesh Joshi, Additional Advocate General.  
                             Ms. Yeshi W. Rinchhen, Government Advocate.  
                             Mr. Hissey Gyaltsen, Assistant Government Advocate.

R-4 to R-6            Ms. Sangita Pradhan, Assistant Solicitor General of India.

R-7                      Mr. T. R. Barfungpa, Advocate.

**O R D E R**

Rai, J.

Respondent No.7 is represented by Learned Counsel Mr. T. R. Barfungpa who seeks some time to file response, he may do so, before the next date.

Learned Counsel for the Petitioner has drawn our attention to I.A. No.02 of 2021 filed by him and insists that there has been a non-utilisation of funds under Covid-19 package provided by the Central Government. That, accordingly, a Committee ought to be constituted monitored by this High Court for ascertaining the fact as to whether the funds allocated under the National Health Missions and funds under Covid-19 package in Phase I and II are utilized by the management. That there should be an auditing of the ground realities of the Covid-19 Dedicated Hospital.

No specific facts and figures have been placed for perusal of this Court with regard to the allegations made.

Consequently, we cannot enter into a fishing and roving enquiry based on the surmises and conjectures of the Petitioner, neither is this Court an Investigating Agency. There is no merit

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in the I.A. supra which deserves to be and is accordingly dismissed.

List this matter on 16-06-2021 along with WP(PIL) No.06 of 2020.

**Judge**  
04-06-2021

**Judge**  
04-06-2021

ds