

W.P. (PIL) No. 09/2016

IN RE. PIPON AND GAMBOS OF LACHEN DZOMSA.

Date: 08/06/2020

CORAM :

**HON'BLE MR. JUSTICE ARUP KUMAR GOSWAMI, CJ.
HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, J.**

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This matter is taken up through V.C.

Heard Mr. Bhushan Nepal, learned Amicus Curiae and Mr. S.K. Chettri, learned State counsel appearing for respondent no. 1. We have also heard Mr. Karma Thinlay, learned Central Government Counsel appearing for respondent nos.2 to 4.

On 29.11.2019 this Court had passed the following order:

“Heard Mr. Bhushan Nepal, learned Amicus Curiae and Mr. Thinlay Dorjee Bhutia, learned Government Advocate for the respondent no.1. Also heard Mr. Karma Thinlay, learned Central Government Counsel for respondent nos.2 to 4.

Mr. Bhutia submits that the State Government has received funds from the Central Government for the purpose of conducting Social Impact Assessment and the notification for conducting Social Impact Assessment was issued on 13.11.2019.

Mr. Thinlay submits that in most of the cases payment for hiring charges had been made till 31.03.2018 and in a couple of cases till 31.03.2019. In respect of cases where payment could not be made beyond 31.03.2018, the reason assigned by Mr. Thinlay is that administrative sanction is awaited from the local Military Authority. If that be so, we are not impressed with the reason cited.

Considering the matter in its entirety, Registry is directed to list the case on 09.04.2020.

It is expected that by then all arrears relating to hiring charges shall be cleared and up to date payment for hiring charges shall be made.

An affidavit with regard to payment of hiring charges shall be filed before the next date fixed.

Mr. Bhutia will also file affidavit giving the status of land acquisition proceeding as on 31.03.2020.

List, accordingly, on 09.04.2020.”

Mr. Chettri and Mr. Thinlay submit that due to lockdown they could not obtain the requisite instructions and file the affidavits as directed in the order dated 29.11.2019.

They pray for four weeks’ time to file the affidavits in terms of order dated 29.11.2019.

Considering the matter in its entirety, we are inclined to grant four weeks’ time to file their respective affidavit(s).

Registry will now list this case for orders on 31.07.2020.

Judge

Chief Justice