

WP(PIL) No. 09/2016
PIPON & GAMBOS OF LACHEN DZOMSA vs. SECRETARY,
MINISTRY OF DEFENCE

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

08. 23.05.17 Present: Mr. Bhushan Nepal, Advocate as '*Amicus*
(Agnihotri, CJ) *Curiae*' for the petitioners.

Mr. J.B. Pradhan, Addl. Advocate General with Mr.
S.K. Chettri and Ms. Pollin Rai, Asstt. Govt.
Advocates for Respondent No. 1.

Mr. Karma Thinlay, Central Govt. Advocate with Mr.
Thinlay Dorjee Bhutia, Advocate for Respondents No.
2, 3 and 4.

Mr. Shobik Majumdar, Principal Director of Defence
Estates, Directorate of Defence Estates, Eastern
Command, Kolkata and Mr. Deepak Mohan, Defence
Estates Officer, Siliguri Circle, Siliguri, in person.

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Mr. Shobik Majumdar, Principal Director of Defence
Estates, Directorate of Defence Estates, Eastern
Command, Kolkata and Mr. Deepak Mohan, Defence
Estates Officer, Siliguri Circle, Siliguri, are present in the
Court. They submit that the steps have been initiated on
their end and it is pending consideration before other
authorities.

Be that as it may, the order sought to be complied
with was rendered on 17.09.2014 which was quoted in our
order dated 01.05.2017.

It is well-settled that unless a direction of the Court
is stayed or suspended by a superior court, the operation
of the order cannot be arrested on account of
administrative difficulties faced by the concerned
authorities.

On the request of Mr. Karma Thinlay, learned Central
Government Counsel, we grant eight weeks' time to the
officers to file affidavit of compliance.

Mr. Shobik Majumdar, Principal Director of Defence Estates, Directorate of Defence Estates, Eastern Command, Kolkata and Mr. Deepak Mohan, Defence Estates Officer, Siliguri Circle, Siliguri, shall remain present on the next date of hearing.

Call on 25.07.2017.

Judge
23.05.2017

Chief Justice
23.05.2017

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