

HIGH COURT OF SIKKIM
Record of Proceedings

WP(PIL) No. 09/2016

IN RE.- PIPON AND GAMBOS OF LACHEN DZOMSA

Date: 24/04/2018

CORAM:

**HON'BLE THE CHIEF JUSTICE
HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI**

For Petitioner (s)	:	Mr. Zangpo Shgerpa, Ms. Aruna Chhetri and Mr. Bhusan Nepal, Advocates as Amici Curiae.
For Respondent (s) For R-1	:	Mr. J.B. Pradhan, Addl. Advocate General With Mr. S.K. Chettri and Ms. Pollin Rai, Asstt. Govt. Advocates.
For R-2, R-3 & R-4	:	Mr. Karma Thinlay, Central Govt. Advocate with Mr. Thinlay Dorjee Bhutia, Advocate.

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It is brought to our notice by the Defence Estates Officer, as stated in his Affidavit dated 21st April 2018 that 263.4381 hectares of land is proposed to be acquired for the purpose of settlement of army establishment. It is further stated that out of 263.4381 hectares, 156.6866 hectares of land is found recorded in the name of "Sikkim Sarkar" and further 1.297 hectares of land is recorded in the name of "Kendriya Sarkar", both of which are being claimed by the public. Remaining 105.4545 hectares of land is recorded in the name of "private parties".

Thus, it requires resolution of the disputes at the hands of the District Collector, North Sikkim. It is further stated that the process has already commenced. The Authorities have already

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communicated to the Ministry of Defence stating the requirement for the purpose. The Ministry, in turn, has further sought information about the circle rates of different areas which is in the process of being submitted.

The District Collector, North Sikkim, is directed to examine the title of the disputed land and settle the same as early as possible. The circle rates, as required by the Ministry of Defence be submitted forthwith.

In the meantime, the Ministry of Defence and its Officials are directed to process the requirement and also arrange fund for compensation, which may be required for payment either to the State Government or to the private owners, as the case may be.

List it for final disposal on 18.06.2018.

Learned Amicus Curiae is at liberty to examine the entire aspect and submit its response.

Judge
24.04.2018

Chief Justice
24.04.2018

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