

SC 128 OF 2013

Order no. 109 Dated 15.11.2017

Today is fixed for submitting a report, with regard to the developments regarding video conferencing facility, to be set up in the court of the Ld. Sessions Judge, Darjeeling and this court and also production of the accused Pemba Tshering Ola.

Accused 1) Keshav Raj Pokhrel, 2) Arun Moktan, 3) Tenzing Khambachay (Sherpa), 4) Kamal Sinha, 5) Puran Thami, 6) Keshar Rai, 7) Dawa Sangey Sherpa, 8) Suraj Singh, 9) Kismat Chhettri, 10) Alok Kantamoni Thulung, 11) Sanjoy Tamang, 12) Bhanu Rai, 13) Amol Lama, 14) Nagendra Pradhan, 15) Sona Sherpa, 16) Rabin Subba, 17) Dinesh Gurung @ Karate Kaila 18) Anita Lakhandri, 19) Sandhya Gurung, 20) Kabita Dahal, 21) Miss. Urmila Rumba, 22) Goutam Tamang, 23) Ranjit Rai, 24) Sudesh Rai Majhi, 25) Khagen Tamang, 26) Ruden Sada Lepcha 27) Harka Bahadur Chettri, 28) Edwin Sanchabir Subba, 29) Jiten Tamang, 30) Smt. Asha Gurung, 31) Roshan Giri, 32) Binay Tamang, 33) Sushma Rai, 34) Dinesh Theeng, 35) Dipen Malay, 36) Tilak Rai, 37) Babita Ganguly, 38) Naresh Rai, 39) Prabin Subba, 40) Sunil Rai, 41) Subhash Tamang, 42) Pradeep @ Bhupendra Pradhan, 43) Prasant Chhettri @ Yogen, 44) Col. Ramesh Allay and 45) Ashis Tamang are absent.

Ld. Advocates for the above named accused persons filed three petitions under section 317 Cr.P.C., praying for permission to represent the accused persons.

Ld. Spl. P.P on behalf of State is present by filing hazira.

Ld. Advocate files a petition on behalf of accused Devendra Sharma who is on bail in this case, stating that the said accd. was arrested by West Bengal Police, in connection with Mirik PS case nos. 79/17 and 94/17 and Darjeeling Sadar PS case no. 177/17 and he has been produced before the Id. ACJM, Siliguri and presently he is in judicial custody and kept in the Siliguri Correctional Home and also prayed for passing necessary order for production of the accused Devendra Sharma before this court.

Since the accused Devendra Sharma is in custody, in connection with the abovementioned case, as such issue production warrant against the abovementioned accused person.

One report dated 14.11.2017, has been received from the Superintendent, Siliguri Special Correctional Home for non-production of UTP Pemba Tshering @ Pemba Tshering Ola, on the ground that he was produced before the Ld. ACJM, Siliguri in connection with Kurshong PS case no. 129/17 and Mirik PS case no. 72/17 and not returned to the Correctional Home till 8.20 p.m.

Letter dated 13.11.2017 had been received on 14.11.2017 from the Executive Engineer, Kolkata, IT Division, PWD, Writers' Buildings, wherein it has been mentioned that in compliance with the order no. 106 dated 24.10.2017 of the instant case, the matter had been immediately report to the competent authority in PWD, seeking necessary

advice towards appropriate execution of the work and on being advised, the Chief Executive Officer, Webel Technology Ltd. had been asked to submit complete proposal for the entire scheme and the matter would be taken up immediately through Webel Technology Ltd. on receipt of the proposal from them.

Since the matter has just been referred to the Webel Technology Ltd. by the PWD, Govt. of West Bengal, for their proposal, the instant case should be adjourned for a reasonable period, so that the compliance of the requirements enumerated in the order no. 106 dated 24.10.2017 of this case, is taken up for necessary completion.

However, the Executive Engineer, Kolkata, IT Division, PWD should submit a periodical report, with regard to the progress for the completion of the requirements mentioned in the above order, both at Kolkata as well as Darjeeling.

To 12.12.2017 for production of accd. Devendra Sharma and Pemba Tshering Ola and progress report from Executive Engineer, Kolkata, IT Division, PWD.

Copy of the order sheet be sent to the Executive Engineer, Kolkata, IT Division, PWD, Writers' Buildings and the Superintendent, Siliguri Special Correctional Home, Siliguri.

D/C. by me.

Sd/-

Chief Judge,
City Sessions Court, Calcutta.

Sd/-

Chief Judge,
City Sessions Court, Calcutta.