

GAHC010027242021



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : WA/61/2021**

STATE OF SIKKIM AND 7 ORS.  
THROUGH THE CHIEF SECRETARY, TASHILING SECRETARIAT, GANGTOK,  
EAST SIKKIM.

2: HOME DEPARTMENT

THROUGH THE SECRETARY  
GOVT. OF SIKKIM  
GANGTOK  
EAST SIKKIM.

3: DEPARTMENT OF PERSONNEL

THROUGH THE SECRETARY  
GOVT. OF SIKKIM  
GANGTOK  
EAST SIKKIM.

4: LAND REVENUE AND DISASTER MANAGEMENT DEPARTMENT

THROUGH THE SECRETARY  
GOVT. OF SIKKIM  
GANGTOK  
EAST SIKKIM.

5: THE DISTRICT COLLECTOR

EAST DISTRICT  
GANGTOK.

6: THE DISTRICT COLLECTOR

SOUTH DISTRICT  
NAMCHI.

7: THE DISTRICT COLLECTOR

WEST DISTRICT  
GYALSHING.

8: THE DISTRICT COLLECTOR

NORTH DISTRICT  
MANGAN

VERSUS

YOGEN GHATANI AND 20 ORS.  
S/O- AMRIT KUMAR, R/O- RHENOCK, EAST SIKKIM.

2: BIBEK TAMANG  
S/O- PEMBA TAMANG  
R/O- RHENOCK  
EAST SIKKIM.

3: ANUPAMA SUBBA  
D/O- ANTHONY SUBBA  
R/O- PAKYONG  
EAST SIKKIM

4: TAPAN RAI  
S/O- BASANT RAI  
R/O- DIESEL POWER HOUSE ROAD  
GANGTOK  
EAST SIKKIM.

5: BHAWESH GAZMER  
S/O- PRAKASH SINGH GAZMER  
R/O- TADONG  
NEAR COLLEGE AREA  
GANGTOK  
EAST SIKKIM.

6: SUSHAN RAI  
S/O- LATE BHARAT RAI  
R/O- JORETHANG BAZAR  
SOUTH SIKKIM.

7: ENISHA CHETTRI  
D/O- BHAKTA CHETTRI  
R/O- TATHANGCHEN  
GANGTOK  
SIKKIM.

8: ABINASH CHETTRI

S/O- BHANU BHAKTA CHETTRI  
R/O- TATHANGCHEN  
GANGTOK  
EAST SIKKIM.

9:BISWAS CHETTRI  
S/O- BHANU BHAKTA CHETTRI  
R/O- TATHANGCHEN  
GANGTOK  
EAST SIKKIM.

10:SAMIR RAI  
S/O- RAJ BAHADUR RAI  
R/O- LOWER SICHEY  
GANGTOK  
SIKKIM.

11:NORGAIN LEPCHA  
S/O- NAMGYAL LEPCHA  
R/O- DIESEL POWER HOUSE ROAD  
GANGTOK  
EAST SIKKIM.

12:TEJASWI RAHAPAL  
S/O- SANJAY SINGH RAHAPAL  
R/O- DIESEL POWER HOUSE ROAD  
GANGTOK  
SIKKIM.

13:MEENAKSHI GAZMER  
D/O- PRAKASH SINGH GAZMER  
R/O- NEAR SIKKIM GOVERNMENT COLLEGE  
TADONG  
GANGTOK  
EAST SIKKIM.

14:LALITA TAMANG  
D/O- LATE NAR BAHADUR TAMANG  
R/O- TATHANGCHEN  
GANGTOK  
EAST SIKKIM.

15:RUDRA TAMANG  
S/O- LATE NAR BAHADUR TAMANG  
R/O- TATHANGCHEN  
GANGTOK  
EAST SIKKIM.

16:YOGESH VERMA  
S/O- LATE TEK CHAND VERMA  
R/O- NATIONAL HIGHWAY  
GANGTOK  
EAST SIKKIM

17:HEM KUMAR PRADHAN  
S/O- LATE SAN BAHADUR PRADHAN  
R/O- CHUJACHEN  
EAST SIKKIM.

18:MOHAN LALL RAI  
S/O- RAJ LALL RAI  
R/O- UPPER BURTUK  
GANGTOK  
EAST SIKKIM.

19:NAR BAHADUR GURUNG  
S/O- PADAM BAHADUR GURUNG  
R/O- DIESEL POWER HOSE ROAD  
GANGTOK  
EAST SIKKIM.

20:JOSEPH TAMANG  
S/O- LATE BIRDHOJ TAMANG  
R/O- DIESEL POWER HOUSE ROAD  
GANGTOK  
EAST SIKKIM.

21:NAMGYAL LEPCHA  
S/O- WANGDEN LEPCHA  
R/O- DIESEL POWER HOUSE ROAD  
GANGTOK  
EAST SIKKIM

**Advocate for the Petitioner** : GA, SIKKIM

**Advocate for the Respondent** : S JOSHI

Linked Case : I.A.(Civil)/324/2021

STATE OF SIKKIM AND 7 ORS.  
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EAST SIKKIM.

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Advocate for : GA  
SIKKIM

Advocate for : S JOSHI appearing for YOGEN GHATANI AND 20 ORS.

BEFORE  
**HON'BLE THE CHIEF JUSTICE (ACTING) MR. N. KOTISWAR SINGH**  
**HON'BLE MR. JUSTICE SOUMITRA SAIKIA**

**:: O R D E R ::**

**19.05.2022**

***[N. Kotiswar Singh, CJ(Acting)]***

Heard Mr. S. Abhayankar, learned counsel assisted by Ms. S. Sharma Hazarika, learned counsel appearing for appellants and Ms. S. Chakravarty, learned counsel appearing for respondents.

Ms. Sharma Hazarika prays for adjournment.

Prayer is allowed.

List these matters again on 03.06.2022.

**JUDGE**

**CHIEF JUSTICE (ACTING)**

**Comparing Assistant**