

GAHC010027242021



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

Case No. : WA/61/2021

1: 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

1: 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

For the Appellant(s) : Mr. S.S. Dey, Sr. Advocate, assisted by Mr. D.J. Kapil, Advocate.
Mr. Z. Sherpa, Advocate.
Mr. M. Sarma, Advocate.
Mr. R.B. Phookan, Advocate.
Mr. K.J. Hazarika, Advocate.

For the Respondent(s) : Ms. S. Chakravarty, Advocate.
Ms. T. Ramchiary, Advocate.

- B E F O R E -
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE KARDAK ETE

07.11.2023

As jointly prayed, list in the *second week of January, 2024.*

JUDGE

CHIEF JUSTICE

Comparing Assistant