

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. D.J. Kapil, Advocate.
For the Respondent(s) : Mr. K.N. Choudhury, Senior Advocate assisted by
Mr. D.J. Das, Advocate.

– **BEFORE** –
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM

25.07.2024

(Vijay Bishnoi, CJ)

Mr. D.J. Kapil, learned counsel appearing for the appellants has submitted that as the instructing counsel is engaged in some medical emergency, the matter may be fixed on 29.08.2024.

Mr. K.N. Choudhury, learned Senior Counsel appearing for the respondents has vehemently opposed the request made by the learned counsel appearing for the appellants and has submitted that since the stay order is operating in the matter, the matter may be heard at the earliest.

Taking into consideration the above facts and circumstances of the case and looking to the fact that the instructing counsel is engaged in medical emergency, let this matter be listed again on 29.08.2024 along with I.A.(Civil) No.324/2021, with the understanding that no further adjournment will be granted in this case.

JUDGE

CHIEF JUSTICE

Comparing Assistant