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**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

For the appellants : Mr. S.S. Dey, Sr. Advocate  
Mr. A. Bhalla, Addl. A.G., Sikkim  
Mr. T.D. Bhutia,  
Govt. Advocate, Sikkim  
Mr. D.J. Kapil, Advocate

For the respondents : Mr. K.N. Choudhury, Sr. Advocate  
Ms. S. Chakravarty, Advocate

– B E F O R E –

**HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR**  
**HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY**

**10-02-2026**

***(Ashutosh Kumar, C.J.)***

We have heard Mr. S.S. Dey, learned Senior Advocate for the appellants/State of Sikkim and Mr. K.N. Choudhury, learned Senior Advocate for the respondents.

Arguments to continue.

List the matter under the same heading on **17.02.2026** at **2**

**P.M.**

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**