

GAHC010027242021



undefined

**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, Senior Advocate, assisted by Mr. A. Bhalla, Additional Advocate General, Sikkim; Mr. T.D. Bhutia, Government Advocate, Sikkim and Mr. D.J. Kapil, Advocate.

**For the Respondent(s)** : Mr. K.N. Choudhury, Senior Advocate, assisted by Ms. S. Chakraborty and Mrs. P. Sarmah, Advocates.

**- B E F O R E -**

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

**19.02.2026**  
*(AshutoshKumar, CJ)*

Arguments to continue.

List this matter again on **24.03.2026** at **2:00 PM**.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**