

HIGH COURT OF SIKKIM
Record of Proceedings

FAO No.01 of 2024

KARMA SONAM BHEMPULASONGPA

APPELLANT

VERSUS

DORJEE DOMA BHUTIA AND ANOTHER

RESPONDENTS

Date: 09.08.2024

CORAM: THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE

For Appellant Mr. Jorgay Namka, Senior Advocate.
 Mr. Avinash Dewan, Advocate.
 Ms. Rinchen Ongmu Bhutia, Advocate.

For Respondents

R-1 Respondent No.1 present in person.

R-2 Mr. Thupden G. Bhutia, Advocate.

ORDER

On the last date, the Respondent No.1 who was present in person before this Court had been informed of the provisions of Free Legal Aid and told to submit an application to the Member Secretary, Sikkim State Legal Services Authority (SSLSA) to enable her to avail of Free Legal Aid.

Today, she submits that she has not filed any application before the SSLSA and intends to represent herself in this dispute. That, some friends from Mumbai are assisting her in conducting the case and she does not seek to engage a Legal Aid Counsel.

It is reported by the Registry that Respondent No.1 has filed a Cross Objection under Order XLI Rule 22 of the Code of Civil Procedure, 1908, through e-Filing, before this Court, on 06-08-2024, which was rejected on 07-08-2024, due to the incorrect provision of law applied by her.

Considering the nature of the dispute, she may continue obtaining advice, if so required, from her friends. However, as she is admittedly not even a Law Graduate, she is incompetent to conduct the matter personally and to navigate the legal parameters.

Notwithstanding the above circumstances, to avoid any prejudice to her, the Member Secretary, SSLSA, is directed to appoint a Legal Aid Counsel for the Respondent No.1. On the next date, she shall be represented by the Legal Aid Counsel appointed by the SSLSA.

Copy of this Order be forwarded to the Member Secretary, SSLSA, for immediate compliance.

List on 29-08-2024.

Judge
09.08.2024