

(2026) 03 SIK CK 1238

In the Sikkim High Court

Case No : Second Appeal From Judgment And Decree No. 03 Of 2025

Buddha Prasad Sharma (Adhikari)

APPELLANT

Vs

Bhagirath Brahman

RESPONDENT

Date of Decision : 02-03-2026

Acts Referred:

Citation : (2026) 03 SIK CK 1238

Hon'ble Judges : Bhaskar Raj Pradhan, J

Bench : Single Bench

Advocate : M.N. Dhungel, Sujata Nerola, S.S. Hamal, Ram Devi Chettri, Sushil Kumar Rai

Judgement

Bhaskar Raj Pradhan, J

1. Mr. S.S. Hamal, learned Senior Counsel assisted by Ms. Ram Devi Chettri, learned counsel seeks to appear for the respondent. Ms. Ram Devi Chettri, learned counsel seeks liberty to file her Vakalatnama during the course of the day. Permitted.

2. The learned Senior Counsel also submits that they have not yet been served with notice. The Registry's note dated 27.02.2026 states that neither the AD card nor the unserved notice has been received back by the Registry with regard to notice issued upon the respondent. Even as per the postal tracking report, the notice issued to the respondent has not been delivered and the status shown therein is "item transmitted to Namphing BO".

3. Mr. M.N. Dhungel, learned counsel for the appellant shall serve a copy of the appeal and interim application to the learned counsel for the respondent during the course of the day. The learned counsel for the appellant submits that the next date fixed by the learned Trial Court for taking evidence in Title Suit No.02 of 2023 pending before the learned Civil Judge, Yangang is 18.03.2026. In view of the same, list this matter on 12.03.2026.