

(2022) 04 SIK CK 0015
In the Sikkim High Court
Case No : Writ Petition (C) No. 29 Of 2021

Ganga Ram Sapkota

APPELLANT

Vs

State Of Sikkim & Ors

RESPONDENT

Date of Decision : 20-04-2022

Acts Referred:

Citation : (2022) 04 SIK CK 0015

Hon'ble Judges : Bhaskar Raj Pradhan, J

Bench : Single Bench

Advocate : B. Sharma, Safal Sharma, Dr. Doma T. Bhutia, S.K. Chettri, Pema Bhutia

Final Decision : Disposed Of

Judgement

Bhaskar Raj Pradhan, J

Mr. B. Sharma, learned Senior Advocate for the petitioner desires to withdraw the writ petition. He also seeks liberty to file afresh. He submits that he desires to move a representation before the Government.

Dr. Doma T. Bhutia, learned Additional Advocate General submits that the writ petition is not maintainable and therefore, no liberty should be granted to file afresh.

The stand of the Government in the reply to the additional affidavit is that the retirement benefits of the petitioner has not been finalised as yet. In fact as pointed out by the learned Additional Advocate General, by a letter dated 23.04.2021 the Department of Personnel (DOP) had sought certain required NOCs from the petitioner. In view of the same, it is clear that if the petitioner files or has already filed the required documents it would be considered and appropriate orders as per law passed.

The petitioner is permitted to withdraw the writ petition. No liberty can be granted to the petitioner to reagitate the issues covered by this writ petition

except the issue of post retirement benefits as above. For any cause of action arising afresh he has the right to seek legal remedy available to him. The writ petition stands disposed as withdrawn.