

(2019) 06 SIK CK 0001

In the Sikkim High Court

Case No : Suo Motu Transfer Petition (Civil) No. 06 Of 2019

Karmapa Charitable Trust & Others

APPELLANT

Vs

State Of Sikkim & Ors

RESPONDENT

Date of Decision : 04-06-2019

Acts Referred:

Citation : (2019) 06 SIK CK 0001

Hon'ble Judges : Vijai Kumar Bist, CJ

Bench : Single Bench

Final Decision : Disposed Off

Judgement

1. Learned District Judge, Special Division-I, Sikkim at Gangtok, has sent a letter bearing reference no. 52/D&SC/SD-I dated 15.05.2019, with a copy of Order passed by him on 10.05.2019, in Title Suit No. 01 of 2017 (Karmapa Charitable Trust & Ors., vs. State of Sikkim and Ors.), expressing his difficulty to proceed with the matter.

2. Order passed by the learned District Judge on 10.05.2019, is as follows;

10.05.2019

As I am Buddhist and belong to Karma Kagyu sect and a staunch devotee of His holiness the Dalai Lama and after he recognized Orgyen Thinlay

Dorje as the reincarnation of the H.H. Gyalwa Karmapa the XVI my belief and faith in

H.H. Orgyen Thinlay Dorje grew all the more stronger. As H.H. Orgyen Thinlay Dorje is our religious head after he was recognized by H.H. Dalai

Lama our family including myself is worshipping H.H. Ugyen Trinley Dorje as

[illegible]

belief and long association with one of the party which touches the subject matter of the case as discussed above may amount to judicial misconduct in

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and Ors.). Considering the fact that the District Judge has a close and long association with one of the party, I am of the view that the reason given by

4. Since, the matter is referred by the learned District Judge, I do not think it is necessary to send notice to the parties.

District Judge, Special Division-I, Sikkim at Gangtok to the Court of District Judge, East Sikkim at Gangtok.

6. Copy of this Order be sent to the Courts of District Judge, Special Division-I, Sikkim at Gangtok and District Judge, East Sikkim at Gangtok.

7. This Sua Motu Transfer Petition stands disposed of, accordingly.