

(2023) 10 SIK CK 0060
In the Sikkim High Court
Case No : Contempt Case (C) No. 02 Of 2023

Pratik Gautam And Others

APPELLANT

Vs

Anil Raj Rai And Another

RESPONDENT

Date of Decision : 19-10-2023

Acts Referred:

Citation : (2023) 10 SIK CK 0060

Hon'ble Judges : Meenakshi Madan Rai, J

Bench : Single Bench

Advocate : S. S. Hamal, Anirudh Gupta, Pradeep Sharma, Zangpo Sherpa,
Sujan Sunwar, Tushar G. Nikhare

Judgement

Meenakshi Madan Rai, J

I.A. No.02 of 2023 is an application seeking personal exemption of Respondent No.1 on grounds that he is engaged in rehabilitation works being the Secretary-cum-Relief Commissioner under the Land Revenue and Disaster Management Department, Government of Sikkim, on account of the disaster which occurred on 04-10-2023.

Personal exemption is allowed and I.A. No.02 of 2023 stands disposed of accordingly.

I.A. No.03 of 2023 is an application filed by the Assistant Government Advocate on behalf of the Respondent No.1 seeking leave of this Court to place the copy of the Orders of the Hon'ble Gauhati High Court, dated 28-09-2023, passed in WA No.61 of 2021 (State of Sikkim and Others vs. Yogen Ghatani and Others) with a prayer to defer the instant Contempt Proceeding, till final disposal of the Writ Appeal pending before the Hon'ble Gauhati High Court.

Learned Senior Counsel for the Petitioners has no objection.

I have perused the Order of the Hon'ble Gauhati High Court which inter alia reads as follows;

“

Having considered the submissions advanced by Mr. Dey, learned senior counsel for the appellants and after taking into account the prevailing facts and circumstances, we feel that as the hearing of this appeal, wherein the judgment rendered by the learned Single Judge is assailed, has commenced, it is not proper for the respondents herein to persist upon the contempt application seeking compliance of the impugned judgment. Thus, we give liberty to the learned counsel for the appellants to place a copy of this order before the Hon’ble Single Judge of the Sikkim High Court with a prayer to defer the contempt proceedings till final disposal of the writ appeal.

.....”

In view of the said development and the Order supra the matter stands deferred till 22-11-2023.

I.A. No.03 of 2023 stands disposed of accordingly.