
(2022) 02 SIK CK 0010
In the Sikkim High Court
Case No : Writ Petition (PIL) No. 09 Of 2021

Ramesh Rai And Ors

APPELLANT

Vs

Sikkim State University & Ors

RESPONDENT

Date of Decision : 17-02-2022

Acts Referred:

Citation : (2022) 02 SIK CK 0010

Hon'ble Judges : Biswanath Somadder, CJ; Meenakshi Madan Rai, J

Bench : Division Bench

Advocate : B. Sharma, Sajal Sharma, Dr. Doma T. Bhutia, S.K. Chettri, Sudesh Joshi, Gazala Parvin

Final Decision : Disposed Of

Judgement

Biswanath Somadder, CJ

The only issue which arises for consideration in the instant Public Interest Litigation is whether the local residents of Namchi are being deprived of use

of a playground in view of construction of a 300 bedded district hospital in an area which was being used as temporary playground.

The answer to this issue is in paragraphs 14 and 26 of the counter affidavit filed on behalf of the State respondents. For convenience, paragraphs 14

and 26 of the said counter affidavit are reproduced hereinbelow:-

¶14. It is further submitted that Government has already taken care of sports, therefore, Bhaichung Stadium has constructed and

completed, which is of international standard and same can be utilized by the people for the purpose of health activities, besides football

tournament, there is no bar. In addition to that State Government has allotted 3.822 acres of land at Boomtar Namchi for utilization of

public purpose of sports etc.

xÂ Â Â Â xÂ Â Â Â x

26. That the contents of paragraph- 50 of the writ Petition are matters of record and it is submitted that the Bhaichung Bhutia Stadium

which is meant for sports activities, its construction has been completed and the said stadium is also being used by the public of Namchi

Bazaar and as well as by the public of in and around vicinity of Namchi, South Sikkim.â??

Since it is clear from a plain reading of the two paragraphs, as quoted above, that the Bhaichung Stadium can be used by the general public for the

purpose of health activities besides football tournaments and in addition to that the State Government has allotted 3.822 acres of land in Boomtar,

Namchi, for utilization of public purpose of sports, etc., we do not find any cogent and/or justifiable reason to keep the instant Public Interest Litigation

pending, which stands disposed of accordingly.