



IN THE HIGH COURT OF SIKKIM

ORDER SHEET

Regular First Appeal.....No. 5 of 19/ 2003

Puranmull Agarwal.....Petitioner/Appellant


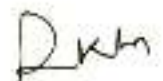


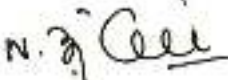

Versus

Tshering Dorjee Sherpa.....Respondent

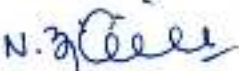

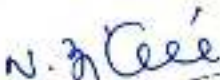

Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
1.	25.9.2003	<p>Heard Mrs. L. Chakraborty, learned Counsel for the appellant.</p> <p>Admit.</p> <p>Issue notice returnable on 25.11.2003. Learned Counsel for the petitioner undertakes to file requisites for issue of notice within 3 days.</p> <p>Civil Misc.Application No.119 of 2003 is accordingly, disposed of.</p> <p><i>N. S. Singh</i> (N. S. Singh) Judge 25.9.2003</p> <p><i>R. K. Patra</i> (R. K. Patra) Chief Justice 25.9.2003</p>	<p>Requisites filed and notice issued on 26.9.03 to the Respondent.</p> <p><i>Sharma</i> 26.9.03</p> <p>file called for Court below.</p> <p><i>Sharma</i></p> <p>Records received from the trial court.</p> <p><i>Sharma</i> 25/11/03</p>
2.	25.11.2003	<p>Heard Mrs. L. Chakraborty, learned Counsel for the appellant. Shri Umesh Rampal learned Counsel has appeared today on behalf of the respondent.</p> <p>Paper book may be prepared by the appellant consisting of plaint, deposition and written statement within 4 weeks.</p> <p>List this case for hearing on 4.3.2004.</p> <p><i>N. S. Singh</i> (N. S. Singh) Judge 25.11.2003</p> <p><i>R. K. Patra</i> (R. K. Patra) Chief Justice 25.11.2003</p>	<p>Further the AD could not be called back from the report. <i>Sharma</i> 24/11/03</p>

at/



Serial No. of Order	Date of Order	Order with Signature	Office Notes to action (if any) taken on Order
3.	4.3.2004	<p>Paper books have been filed today in Court. As prayed for by the learned Counsel for the parties, list this case on 16.3.2004 for hearing.</p> <p> (N. S. Singh) Judge</p> <p> (R. K. Patra) Chief Justice</p> <p>at/</p>	
4.	16.3.2004	<p>Heard in part. Put up day-after-tomorrow, i.e. on 18.3.2004 for further hearing.</p> <p> (N. S. Singh) Judge</p> <p> (R. K. Patra) Chief Justice</p> <p>at/</p>	
5.	18.3.2004	<p>Heard Mrs. L. Chakraborty, counsel for the appellant and Shri Umesh Ranpal, counsel for the respondent. Counsel submit that the parties have entered into compromise on certain terms and conditions and they will file a joint compromise petition in course of today.</p> <p>Put up tomorrow for consideration of that petition if filed.</p> <p> (N. S. Singh) Judge</p> <p> (R. K. Patra) Chief Justice</p>	



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6.	18.3.2004	<p>Heard Mrs. L. Chakraborty, Counsel for the appellant and Shri Umesh Ranpal, Counsel for the respondent.</p> <p>Counsel submit that the parties have entered into compromise on certain terms and conditions and they will file a joint compromise petition in course of today.</p> <p>Put up tomorrow for consideration of that petition if filed.</p> <p> (N. S. Singh) Judge</p> <p> (R. K. Patra) Chief Justice</p>	
at/ 7.	19.3.2004	<p>It is stated that parties have not been able to sign the compromise petition. Put up on 24.3.2004. In the meantime, the parties may file compromise petition.</p> <p> (N. S. Singh) Judge</p> <p> (R. K. Patra) Chief Justice</p>	
at/ 8.	24.3.2004	<p>Defendant is in appeal which is directed against the judgment dated 27.6.2003 passed by the learned District Judge (East and North) Sikkim at Gangtok in Civil Suit No. 16 of 2001 directing his eviction from the suit premises.</p> <p>During the pendency of this appeal, the parties have entered into compromise out of Court and have today filed a joint petition praying to dispose of the matter in terms and conditions mentioned therein. The appellant and respondent have signed the compromise</p>	



Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
		<p data-bbox="289 355 422 389">petition.</p> <p data-bbox="289 407 1185 679">We have heard counsel for the parties. In view of the compromise arrived at by both the parties, the judgment and decree of the trial court are hereby set aside and this appeal is disposed of in terms of the compromise petition which shall form part of this order.</p> <p data-bbox="289 697 1185 789">The appeal is accordingly disposed of as indicated above. No costs.</p> <div data-bbox="430 789 690 942"><p data-bbox="470 789 690 855"><i>N. S. Singh</i></p><p data-bbox="430 863 673 908">(N. S. Singh)</p><p data-bbox="487 908 600 942">Judge</p></div> <div data-bbox="885 789 1153 942"><p data-bbox="1015 789 1153 855"><i>R. K. Patra</i></p><p data-bbox="885 863 1128 908">(R. K. Patra)</p><p data-bbox="893 908 1128 942">Chief Justice</p></div>	<p data-bbox="1201 381 1567 539">Recd 9.12.24 Court sent back on 31.3.24.</p> <p data-bbox="1299 539 1502 671"><i>31/3/24</i></p>