



IN THE HIGH COURT OF SIKKIM

ORDER SHEET

Review Petition.....No. 8 of 2004
(Arising out of Disposed RSR No.1/04) Petitioner / Appellant
KAZIMIT LEPCHA
Versus
DIKILA BHUTIA (SUBBA)..... Respondent

Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
1.	22-12-2004	<p>Heard Mr. B. Sharma, learned counsel for the petitioner.</p> <p>Admit the petition.</p> <p>Call for the records. Let usual notice be issued upon the respondent which is made returnable on 9-3-2005 for which the petitioner requires to take steps for service of notice upon the respondent within three days.</p> <p>List it on 9-3-2005 for further orders.</p> <p><i>N. S. Singh</i> (N. Surjamani Singh) Chief Justice (Actg.)</p>	<p>Records called for by counsel.</p> <p>Records filed by counsel.</p> <p>Request filed and notice issued on 24.12.04.</p> <p><i>N. S. Singh</i> 24/12/04.</p> <p>Further the envelope on the AD Recd. by counsel.</p> <p><i>N. S. Singh</i> 31/12/04.</p>
2.	9-3-2005	<p>The matter is ripe for hearing.</p> <p>Heard Mr. B. Sharma, learned counsel for the petitioner and Mr. A. Moulik, learned counsel for the respondent.</p> <p>As prayed for by the learned counsel for the parties, the matter be listed on 11-4-2005 for hearing.</p> <p><i>N. S. Singh</i> (N. Surjamani Singh) Chief Justice (Acting)</p>	



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3. 11-4-2005

As prayed for by Mr. B. Sharma, learned
counsel for the petitioner, the matter be listed for
hearing on 24-5-2005.

N.S. Singh

(N. Surjamani Singh)
Chief Justice (Acting)

4. 24-5-2005

As prayed for by Mr. N.G. Sherpa,
learned counsel on behalf of Mr. A. Moulik,
learned senior counsel, this case be listed
on 24-6-2005. The prayer for adjournment is
not objected by Mr. B. Sharma, learned counsel
appearing for the petitioner.

N.S. Singh

(N. Surjamani Singh)
Chief Justice (Acting)

rsr/



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5. 24-6-2005	rsr/	<p>It is submitted at the bar by the learned senior counsels for the parties that the parties may make an attempt to settle the dispute and their differences amicably outside of the Court for which they need some time which according to me the request is reasonable. Accordingly, this case be listed on 1-8-2005 for necessary order.</p> <p style="text-align: center;">N. S. Singh (N. Surjamani Singh) <u>Chief Justice(Acting)</u></p>	<p>As directed the case be listed for hearing on 26.8.05. D. S. Singh</p>
6. 26-8-2005		<p>Miss Rita Sharma, learned counsel appearing for the petitioner sought for some time so as to enable the parties to have amicable settlement. Learned counsel has also contended that concerned Panchayat had called the parties for amicable settlement.</p> <p>Heard Mr. A. Moulik, learned senior counsel assisted by Mr. N.G. Sherpa, learned counsel for the respondent. Be that as it may, the matter be listed on 23-9-2005 for necessary order.</p> <p style="text-align: center;">N. S. Singh (N. Surjamani Singh) <u>Chief Justice(Acting)</u></p>	



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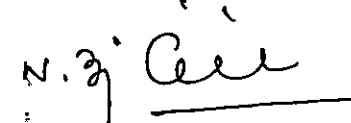
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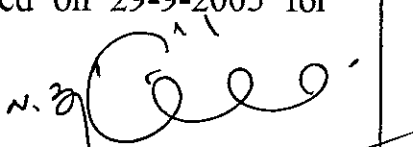
7. 23-9-2005

Upon hearing the learned counsel for the parties at some length, in presence of their respective clients; the parties prayed for some time so as to enable them to settle the matter amicably outside the Court. In view of it, the matter be listed on 27-9-2005 for necessary orders.


(N. Surjamani Singh)
Chief Justice (Acting)

8. 27-9-2005

As prayed for by the learned counsel for the parties, the matter be listed on 29-9-2005 for necessary orders.


(N. Surjamani Singh)
Chief Justice (Acting)



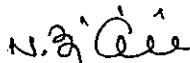
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9. 29.9.05

Place this matter before any other
Bench without me (Justice N.S. Singh)
tomorrow after rising of the Division Bench.



(N.S. Singh)
Chief Justice (Actg.)

10. 30.9.05

As prayed for by Mr. B.C. Sharma,
learned counsel for the review applicant,
the case is adjourned to 8.11.2005 as
according to him there is a chance of an
amicable settlement between the parties.

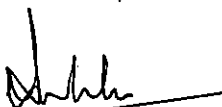


(Binod Kumar Roy)
Chief Justice

11. 8.11.2005

Heard Mr. B. Sharma, learned senior
counsel assisted by Miss Rita Sharma, learned
counsel for the review applicant and Mr. A
Moulik, learned senior counsel assisted by
Mr. N. G. Sherpa, learned counsel for the
respondent.

As prayed for by the learned counsel
for the parties, this matter be listed
tomorrow so that they may avail of some time
to work out amicable settlement, if possible.



(A. P. Subba)
Judge



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12. 9.11.2005

Heard Mr. B. Sharma, learned senior
~~counsel assisted by Miss Rita Sharma, learned~~
counsel for the petitioner and Mr. A. Moulik,
learned senior counsel assisted by Mr. N. G.
Sherpa, learned counsel for the respondent.

It is submitted by the learned counsel
appearing for the parties that both parties
have come to an amicable settlement and
about 15 days time will be required for
finalising the necessary documents. As
prayed for by the parties, list this matter
for orders on 25.11.2005.

(A.P. Subba)
Judge

13. 25.11.2005


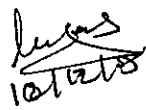
Heard Mr. B. Sharma, learned senior counsel
assisted by Miss Rita Sharma, learned counsel for the
review petitioner and Mr. N. G. Sherpa, learned counsel
assisted by Miss Kesang Diki Bhutia, learned counsel for
the respondent.

Parties submit that the deed of compromise has
been finalized and parties are only required to put their
signatures, for which a few days time is prayed for.

As prayed for by the parties, list this matter for
orders on 29.11.2005.

(A. P. Subba)
Judge
25.11.2005



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14.	29.11.2005	<p>Heard Mr. B. Sharma, learned senior counsel assisted by Miss Rita Sharma, learned counsel for the review petitioner and Mr. A. Moulik, learned senior counsel assisted by Mr. N. G. Sherpa, learned counsel and Miss Kesang Diki Bhutia, learned counsel for the respondent.</p> <p>It is submitted by the parties that the matter has been amicably settled, and in support thereof, they have filed a joint petition of compromise. The compromise petition has been duly signed by them and the brothers and sisters of the petitioner. Accordingly, as prayed for by the parties, the deed of compromise is taken on record and marked as 'X' for identification.</p> <p>Since the matter is settled, this Revision Petition stands disposed of as withdrawn. The parties shall be at liberty to take follow-up action in terms of the deed of compromise.</p> <p>As prayed for, the judgment passed in Regular Second Appeal No.1 of 2004 dated 22.11.2004 by the concerned Bench of this Court, and the decree drawn up in terms of the judgment, shall stand merged with this order.</p> <p>Pronounced.</p> <div data-bbox="938 1773 1305 2034"> (A. P. Subba) <u>Judge</u> <u>29.11.2005</u></div>	<p>Entire Case records 9. DJ (ETD) L Records of Court Staff No. 3/00 forwarded on 10-12-05.  10/12/05</p>