



# IN THE HIGH COURT OF SIKKIM

## ORDER SHEET

Writ Petition (C).....No. 14 of 2008

Rose Valley Chain Marketing Systems Petitioner / Appellant  
Ltd. & Anr.

Versus



State of Sikkim & Ors..... Respondent

Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order.
01.	14.5.08	<p>Present: Mr. B. Sharma, Sr. Advocate with Mr. Jiwan Kr. Kharga and Mr. T. Namgyal, Advocates for the Petitioners.</p> <p>Mr. J.B. Pradhan and Mr. Karma Thinlay, Govt. Advocates for the State-Respondents.</p> <p>...</p> <p>This is a writ petition on the first day of its admission. The writ petitioner is an incorporated company and claims to be a corporate agent of <sup>the</sup> LIC. According to them they were having insurance business in Sikkim on the basis of a permission granted in the year 2006 by the State and allegedly they were doing quite well. In 2008, the permission has been withdrawn. It is against the said withdrawal that the said writ petitioner has come to Court.</p> <p>The writ petitioner has been unable to explain the basis of grant of permission i.e. the law under which such permission was given. The writ petitioner can also give no explanation</p>	



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		<p data-bbox="333 367 1158 531">of the meaning of their licence (Annexure P-2) which allows them to procure or solicit insurance business "of one life insurer".</p> <p data-bbox="336 591 1161 935">The writ petitioner further can give no explanation why they should be entertained, since the licence states (Annexure P-2) that it is for 3 years from 2.12.2002. This period expired even before they got their licence from the State of Sikkim in 2006.</p> <p data-bbox="339 996 1165 1159">The respondents submit that the licence was issued nonetheless, but they point out this factor to the Court today.</p> <p data-bbox="343 1220 1171 1992">The writ petitioners submit on the basis of Annexure P-8 that even if their licence as per Annexure P-2 has expired, the LIC has no problem with it because a letter of eulogy and congratulation has been received by them, dated 28.04.2008 (Annexure P-8), signed allegedly by the Regional Manager (Mktg./B &amp; AC). The name of the said Regional Manager is not mentioned. Although the said annexure is a photocopy, no signature has come up in the photocopy in the writ petition. The alleged letter is mentioned in paragraph 15 of the writ petition only, which is verified as a submission.</p>	



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	<p>The deponent is allegedly now in Calcutta. No Court can proceed on this type of slipshod and baseless material. The writ petition is dismissed in limine.</p> <p>Since we have not called for an affidavit in opposition, the allegations in the writ petition cannot be taken to be admitted.</p> <div><div> (A.N. Ray, CJ)</div><div> (A.P. Subba, J)</div></div>	