

IN THE HIGH COURT OF SIKKIM

CIVIL JURISDICTION

RFA No.1/2013

Phur Tsh.Lucksom @ Lepcha & Ors.

vs.

The School Managing Committee of Dentam Sr. Secondary School & Ors.

BEFORE

HON'BLE MR. JUSTICE S. P. WANGDI, JUDGE

11. 30.05.2014 Present : Mr. Anmole Prasad, Sr. Advocate with
Mr. Sagar Chettri and Mr. Charles L.
Lucksom, Advocates for the Appellants.

Mr. Laxman Gurung, Advocate for
Respondent No.1.

Mr. S. K. Chettri and Mrs. Pollin Rai,
Assistant Govt. Advocates for State
Respondents No.2 and 3.

Mr. H. P. Dhakal, Joint Director, HRDD.,
Govt. of Sikkim in person.

Mr. Bhushan Nepal, Legal Retainer for
Respondents No.2 and 3.

In terms of the order dated 13.05.2014, the
Sub-Divisional Magistrate, West District,
Gyalshing, has submitted a report vide letter dated
28.05.2014, addressed to the Registrar General,
High Court of Sikkim, conveying that necessary
survey of the lands in question have been
conducted on the basis of the rough sketch map
marked 'X' prepared on the mutual agreement of
the parties. A certified copy of the map duly

prepared in respect of the lands at Dentam and Mangmo Blocks, West Sikkim, has also been

enclosed with the letter along with a report in Nepali vernacular containing the signatures of all necessary parties including the Revenue Officer Cum Assistant Director, Land Revenue Department, Govt. of Sikkim, West, Gyalshing and the AEO, HRDD Gram Vikash Kendra, Dentam, West Sikkim. The letter along with the enclosures are taken on record.

It is, however, my considered view that in order to give clarity to the decree that would follow, it is felt essential that a compromise petition be also filed as directed in the order dated 13.05.2014.

The parties have accordingly filed a joint compromise petition which is also taken on record and marked 'Y' for identification.

In view of this, we need not enter into the warring contentions raised by the respective parties in the suit. Suffice it to state that the suit stands decreed in terms of the compromise arrived

at between the parties and the compromise petition shall form part of the decree.

The Registry is directed to draw up a decree accordingly.

This Appeal accordingly stands decreed and disposed off in terms of the above.

Sd/-
Judge
30.05.2014

IN THE HIGH COURT OF SIKKIM

CIVIL JURISDICTION

CMA No. 22/2013

(In RFA No.1/2013)

Phur Tsh.Lucksom @ Lepcha & Ors.

vs.

The School Managing Committee of Dentam Sr. Secondary School & Ors.

BEFORE

HON'BLE MR. JUSTICE S. P. WANGDI, JUDGE

10. 30.05.2014 Present : Mr. Anmole Prasad, Sr. Advocate with
Mr. Sagar Chettri and Mr. Charles L.
Lucksom, Advocates for the Appellants.

Mr. Laxuman Gurung, Advocate for
Respondent No.1.

Mr. S. K. Chettri and Mrs. Pollin Rai,
Assistant Govt. Advocates for State
Respondents No.2 and 3.

Mr. H. P. Dhakal, Joint Director, HRDD.,
Govt. of Sikkim in person.

Mr. Bhusan Nepal, Legal Retainer
Advocate for Respondents No.2 and 3.

In view of the order passed in RFA No.01 of
2013 today (30.05.214), the application stands
disposed off.

Sd/-
Judge
30.05.2014

IN THE HIGH COURT OF SIKKIM

CIVIL JURISDICTION

CMA No. 150/2014

(In RFA No.1/2013)

Phur Tsh.Lucksom @ Lepcha & Ors.

VS.

The School Managing Committee of Dentam Sr. Secondary School & Ors.

BEFORE

HON'BLE MR. JUSTICE S. P. WANGDI, JUDGE

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| 01. | 30.05.2014 | Present | : Mr. Anmole Prasad, Sr. Advocate with Mr. Sagar Chettri and Mr. Charles L. Lucksom, Advocates for the Appellants. Mr. Laxman Gurung, Advocate for Respondent No.1. Mr. S. K. Chettri and Mrs. Pollin Rai, Assistant Govt. Advocates for State Respondents No.2 and 3. Mr. H. P. Dhakal, Joint Director, HRDD., Govt. of Sikkim in person. Mr. Bhushan Nepal, Legal Retainer for Respondents No.2 and 3. |
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This compromise petition marked 'Y' shall form part of the decree passed in RFA No.01 of 2013.

The application accordingly stands disposed off.

Sd/-

Judge
30.05.2014