



**WP(C) No. 06/2016**  
**Deo Kumar Pradhan vs. State of Sikkim & Ors.**  
**BEFORE**  
**MR. JUSTICE BHASKAR RAJ PRADHAN, J.**

**12. 24.07.17** Present: Mr. Zangpo Sherpa, and Mr. Jushan Lepcha,  
Advocates for the Petitioner.

Mr. S.K Chettri and Ms. Pollin Rai, Asst. Govt.  
Advocates for Respondents No. 1 and 2.

Mr. Gita Bista, Advocate for Respondent No. 3.  
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**ORDER**

**1.** On 30.06.2017 a week's time had been granted to the learned Counsel appearing for the Respondent no. 1 and 2 to file affidavit. The said affidavit has been filed in which it has been stated that the Forest Environment & Wildlife Management Department, Government of Sikkim through its PCCF-cum-Secretary has already filed a suit for declaration, confirmation of title, cancellation of judgment/decreed dated 19.05.2012 ( In Title Suit no. 10 of 2010 in the matter of Shri Suk Bahadur Mazi-Vs-Smt Santu Gurung & Ors.). Along with the said suit respondent no. 1 has also filed an application under Order 39, Rule 1 and 2 read with Section 151 Code of Civil Procedure, 1908 praying for stay/injunction before the learned District Judge, East Sikkim on 29.06.2017.

**2.** In view of the affidavit so filed, Mr. Zangpo Sherpa, learned Counsel for the writ petitioner submits that his grievance having been met he would not like to urge the writ petition further.



**3.** The writ petition is dismissed as withdrawn as being infructuous.

/avi      **Index : ~~Yes~~ / No**  
**Internet : Yes / ~~No~~**

**Judge**  
**24.07.2017**