

High Court of Sikkim

Record of proceedings

**WP(C) No.64 of 2017**

S. P. Subba vs. Sukhim Yakthung Sapsok Songjumbho

**BEFORE**

**THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE**

30-11-2017 Present : Mr. S. S. Hamal with Ms. Priyanka Chettri,  
Advocates for the Petitioner.

Mr. N. Rai, Senior Advocate with Mr. Tamanna  
Chhetri, Advocate for the Respondent.

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Heard.

It is admitted by Learned Senior Counsel for the Respondent that the mandate of Law has not been complied with by the Learned Trial Court. That, he has no objection if the Petitioner is afforded an opportunity to put forth his case before the Learned Court of the Civil Judge (Jr. Division), Chungthang Sub-Division, stationed at Gangtok.

Considered.

The Order of the Learned Civil Judge dated 01-11-2017 is quashed and set aside.

Let the matter be restored to the file of the Learned Civil Judge.

The parties shall appear on the date fixed before the Court below and a decision be taken by the Learned Trial Court, as per provisions of Law.

Writ Petition stands disposed of.

**Judge**  
30-11-2017

Index : Yes/No

Internet : Yes/No