

HIGH COURT OF SIKKIM

Record of Proceedings

W.P.(C) No. 05/2018

DURGA PD. DAHAL & ANR.

Petitioner (s)

VERSUS

STATE OF SIKKIM & ORS.

Respondent (s)

Date: 17/04/2018

CORAM:

HON'BLE THE CHIEF JUSTICE

For Petitioner (s) : Mr. Megh Nath Dhungel and Ms. Pramila Rai, Advocates.

For Respondent (s)
For R-1, 2, 3 & 5 : Mr. Karma Thinlay, Sr. Govt. Advocate with Mr. Thinlay Dorjee Bhutia, Govt. Advocate and Ms. Pollin Rai, Assistant Govt. Advocate.

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The instant petition is filed in a representative capacity on behalf of the residents of Sakyong, P.O. Sang and P.S. Singtam, East Sikkim. The principal contention of the learned counsel appearing for the petitioners is that under Rural Water Supply Schemes, the augmentation of supply of water at Mallam Dara is from the source of Navey, as evident from the work order dated 26.11.2014. However, the respondents have started the construction of works illegally from the Simana Khola water source.

Issue notice.

This petition be treated as Public Interest Litigation petition and list it before a Division Bench.

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Court No. 1

Mr. Thinlay Dorjee Bhutia, learned Govt. Advocate assisting Mr. Karma Thinlay, learned Senior Government Advocate accepts notice on behalf of the 1st, 2nd, 3rd and 5th respondents and is granted three weeks' time to file response and also ensure that the Simana Khola water source is not disturbed contrary to the work order.

Issue notice to 4th respondent, returnable on 22.05.2018.

Chief Justice
17.04.2018

jk/pm Index : ~~Yes~~ / No
Internet : Yes / ~~No~~