

**WP(PIL) No.05/2020**IN RE: INTRODUCTION OF SCIENCE STREAM AND INFRASTRUCTURAL  
DEVELOPMENT OF J.N.V. PAKYONG

For Petitioner : Mr. N. Rai, Sr. Advocate as Amicus Curiae.  
Ms. Malati Sharma, Advocate

For Respondents No. : Dr. Doma T. Bhutia, Addl. Advocate General  
1 to 4 Mr. S.K. Chettri, Govt. Advocate.  
Ms. Pema Bhutia, Asst. Govt. Advocate.

For Respondents : Ms. Sangita Pradhan, Asst. Solicitor General.  
No.5 to 8

**Date: 21/12/2021****CORAM:****HON'BLE MR. JUSTICE BISWANATH SOMADDER, CHIEF JUSTICE**  
**HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE**

...

**JUDGMENT: (per the Hon'ble, the Chief Justice)**

On 30<sup>th</sup> November, 2021, we had directed the learned Assistant Solicitor General to place on record on the next date, the specific assurance given by the State to Jawahar Navodaya Vidyalaya, Pakyong, to provide the said Vidyalaya with additional land. An affidavit has been filed in the Court consequent thereto on 11<sup>th</sup> December, 2021, by the respondents no.5 and 6, being the Principal, Jawahar Navodaya Vidyalaya, Pakyong and Navodaya Vidyalaya Samity, respectively. This affidavit does not anywhere specifically reveal any assurance given by the State to Jawahar Navodaya Vidyalaya, Pakyong, to provide the said Vidyalaya with additional land.

In this regard, the learned Additional Advocate General of the State of Sikkim has referred to her client's affidavit which was affirmed on 12<sup>th</sup> November, 2021, as well as a response to the affidavit dated 11<sup>th</sup> December, 2021 of the Jawahar Navodaya Vidyalaya, Pakyong, which was affirmed on 17<sup>th</sup> December, 2021. According to her, these affidavits filed on behalf of the State of Sikkim reveal that recently the Additional Chief Secretary, Education



Department, Government of Sikkim, has written a D.O. letter dated 19<sup>th</sup> October, 2021, addressed to the Secretary, Department of School Education and Literacy, Ministry of Education, Government of India, wherein he has stated *inter alia* as follows;

“ .....

This being a special case, I once again request for special consideration for providing financial assistance to Government of Sikkim to the tune of Rs. 6 Crores for purchase of the said land.

.....”

In view of the stand taken on behalf of the State of Sikkim, which is reflected in the letter dated 19<sup>th</sup> October, 2021, we do not find any further reason to keep this Public Interest Litigation pending. We, however, request all authorities concerned to ensure smooth functioning of Jawahar Navodaya Vidyalaya, Pakyong, without any hindrance or obstacle from any quarter and also request both the State Government and Central Government to act in harmony together in order to further the cause of education amongst children studying in this educational institution.

WP(PIL) No. 05 of 2020 stands accordingly disposed of.

**(Meenakshi Madan Rai)**  
**Judge**

**(Biswanath Somadder)**  
**Chief Justice**

jk/ds/avi