



IN THE HIGH COURT OF SIKKIM

ORDER SHEET

Writ Petition (C).....No. 9 of ~~199~~ 2007

Swapan Kumar Majumder.....Petitioner/Applicant

Versus

Union of India & Others.....Respondent

Serial No. of Order	Date of Order	Order with Signature	Office Note as to action (if any) taken on Order
01	26.04.07	<p>Present: Mr. A.K. Upadhyaya, Sr. Advocate with Ms. Reshmi Rekha Devi Advocate for the Petitioner.</p> <p>Mr. Karma Thinlay, Central Govt. Standing Counsel for the Respondents.</p> <p>...</p> <p>This is a Writ Petition claiming High Altitude Allowance and the right to choose the next posting on the ground that the Petitioner has served at the high altitude station of Nathula.</p> <p>The Writ Petitioner is at present serving at Nathula but is on his way out to be posted at Jodhpur, which is not to his liking.</p> <p>The Respondents submit that High Altitude Allowance is about to be released to him, perhaps by the end of this month; further, it is only after completing two full years at high altitude that the option to</p>	

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Order with Signature

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action (if any)
taken on Order

choose one's next place of posting arises and the Writ Petitioner has served at Nathula for 14 months.

In any event, the Writ Petitioner is on his way out from Sikkim and the postings are sanctioned from the Central Office in Delhi; also the Petitioner does not appear to have made any written representation to any authority yet; the Writ Petitioner should approach some other High Court, than the Sikkim High Court, which will have the least connexion with him since he is leaving this jurisdiction very soon. As such, without entering a decision on the merits of this case, the Writ Petition is dismissed on the ground that the Writ Petitioner has approached the least appropriate High Court. He might move elsewhere if so advised and if so entitled in law.

A.N. Ray
(A.N. Ray, CJ)

N.S. Singh
(N.S. Singh, J)