

## IN THE HIGH COURT OF SIKKIM

## ORDER SHEET



CMA 58 of 2006

RITA WANGDI .. Petr. VERSUS LODEN TSHERING BHUTIA .. Resp.



No. of Order	of Order	Order with Signature	Office Note as to action (if any) taken on Order
03.	07.06.2006	<p style="text-align: center;"><u>Ref. CRP No.5/2006</u></p> <p>Heard Mr. Anmole Prasad, learned Counsel assisted by Mr. Dorjee Sherpa, learned Counsel for the Petitioner in the matter of condonation of delay in filing the Revision Petition, namely, Civil Revision Petition NO.5 of 2006. Also heard Mr. A. Moulik, learned Senior Counsel assisted by Mr. N. G. Sherpa, learned Counsel for the Respondent.</p> <p>Upon hearing the learned Counsel for the parties at some length, Mr. Moulik, learned Senior Counsel, in his usual frankness submitted that, if some reasonable cost is awarded, the delay in filing the Revision Petition may be condoned in view of the existing circumstances, to which Mr. Anmole Prasad, learned Counsel has no objection, with the condition that his client will be able to pay Rs.2000/- as costs, which is also not objected to by Mr. Moulik. In view of the above position, the delay in filing the Revision Petition is hereby condoned on payment of costs of Rs.2000/-. However, it is made clear that 50% of the cost, i.e., Rs.1000/- shall be paid by the Petitioner to the opposite party/Respondent and Rs.1000/- shall form part of the fund of the Bar Association of Sikkim and such cost shall be deposited by the Petitioner within a period of a week from today with the Registry of this Court and after</p>	



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At/		<p>depositing the same, the party concerned are at liberty to withdraw the same from the Registry of this Court, in other words 50% shall be withdrawn by the Respondent and 50% of the cost shall be withdrawn by the Bar Association of Sikkim through its General Secretary.</p> <p>Misc. application is accordingly disposed of.</p> <p style="text-align: center;">             N. S. Singh            ( N. S. Singh )  <u>Acting Chief Justice</u> </p> <p style="text-align: center;">             ( A. P. Subba )  <u>Judge</u> </p>	