

HIGH COURT OF SIKKIM
Record of Proceedings

SAO No.01 of 2024

Mani Kumar Gurung

Appellant

versus

Govind Khati and Others

Respondents

Date : **25-04-2024**

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

For Appellant

Mr. B. Sharma, Senior Advocate.
Mr. Safal Sharma, Advocate.
Ms. Shreya Sharma, Advocate.

For Respondents

R-1

Mr. Bhusan Nepal, Advocate.

R-2 to R-4

Mr. Shakil Karki, Assistant Government Advocate.

R-5

None present.

ORDER

Respondent No.1 and Respondents No.2 to 4 have appeared through their respective Counsel.

Learned Counsel for the parties jointly submit that Civil Appeal No.03 of 2022 (*Mani Kumar Gurung vs. Govind Khati and Others*) pending before the Learned Court of the Principal District Judge, Gangtok, is fixed for hearing/further orders on 09-05-2024. That, vide Order of this Court dated 02-04-2024 the proceedings in the Appeal had been stayed.

That, Learned Counsel for the parties have no objection if the stay is vacated and the matter is finally heard and disposed of by the Learned First Appellate Court.

Learned Counsel for the Respondent No.1 undertakes not to re-commence the construction till the final disposal of the matter before the Learned First Appellate Court.

In view of the said circumstances and the undertaking given by Learned Counsel for the Respondent No.1, the stay order stands vacated and SAO disposed of accordingly.

Judge
25-04-2024