



Court No.3.

**HIGH COURT OF SIKKIM**  
Record of proceedings

**W.P. (C) No. 27 of 2023**

MENUKA SHARMA &amp; ORS.

.... PETITIONERS

VERSUS

STATE OF SIKKIM &amp; ORS.

.... RESPONDENTS

Date: 23.11.2023

CORAM

**HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, J.**

For Petitioners : Mr. N. Rai, Senior Legal Aid Counsel assisted by  
 Mr. Yozan Rai, Legal Aid Counsel and Ms. Tara  
 Devi Chettri, Advocate.

For Respondent : Mr. Thinlay Dorjee Bhutia, Government Advocate.  
 Nos. 1, 2 & 4 to 6. Mr. Yadev Sharma, Government Advocate.

For Respondent : Mr. Rahul Rathi, Advocate.  
 No.3.

For Respondent : Ms. Subaksha Pradhan, Advocate.  
 No.7.

.....

**1.** The present writ petition seeks a direction upon the respondents to stop construction of the new proposed road from Tarpin to Chalisey Dara, Rhenock from the ancestral land of the petitioners and direct the respondents to look for alternative route. An affidavit dated 22.11.2023 has been filed by respondent nos. 1 and 2 which states in paragraph 5 thereof that the respondent nos. 1 & 2 have decided that they would not excavate the land of the petitioners and instead look for an alternate route.

**2.** In view of the categorical statements of the respondent nos. 1 and 2 nothing survives in the writ petition. The learned Senior Counsel for the petitioners seeks to withdraw the same. In view of the undertaking by way of this above affidavit dated 22.11.2023 the W.P. (C) No.27 of 2023 is disposed of in the above terms. Pending interlocutory application also stands disposed of accordingly.

**Judge**