

HIGH COURT OF SIKKIM
Record of Proceedings

WP (PIL) No. 09/2016

IN RE- PIPON AND GAMBOS OF LACHEN DZOMSA

For Petitioner : Mr. Bhusan Nepal, Amicus Curiae.

For Respondent No.1 : Mr. Sudesh Joshi, Addl. Advocate General.
Mr. Thinlay Dorjee Bhutia, Govt. Advocate.
Mr. Yadev Sharma, Govt. Advocate.

For Respondents No. 2, 3 and 4 : Ms. Alishiba Rai, Advocate on behalf of Ms. Sangita Pradhan, Asst. Solicitor General of India.

Date: 02/12/2021

CORAM:

HON'BLE MR. JUSTICE BISWANATH SOMADDER, CHIEF JUSTICE
HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE

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

This Public Interest Litigation was instituted sometime in the year 2016, on the basis of a letter which was addressed by one Pipon, Lachen Dzomsa, North Sikkim to the "Hon'ble Judge, Supreme Court of India, Camp at Lachen, North Sikkim", seeking a direction upon the Ministry of Defence, Government of India, to make payment of compensation for occupation of their land, expeditiously. This letter was treated as a "Public Interest Litigation", in terms of an order dated 17th October, 2016, passed by a Division Bench of this Court headed by the then Chief Justice. Thereafter, the matter was heard from time to time and several orders had been passed.

After hearing the submissions made by the learned advocates for the parties today, it appears that in the meanwhile steps have been taken by the acquiring authority, namely, the District Collector, North Sikkim, for acquisition of the land in question in accordance with law. Since acquisition proceedings have already been initiated in accordance with law, no further directions are required to be passed in the instant Public Interest Litigation which stands disposed of with a direction to the appropriate authority of the Central



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Government to ensure that, in the meanwhile, hiring charges are paid regularly to those individual landowners in terms of the undertaking in the form of an affidavit given to the Court, earlier.

(Meenakshi Madan Rai)
Judge

(Biswanath Somadder)
Chief Justice

jk/ds/avi

