

**Inauguration of the Court of Civil Judge-cum-Judicial Magistrate  
Jorethang Sub-Division, South Sikkim on Saturday, May 26, 2018**

Dr. (Shri) Pawan Chamling; Hon'ble the Chief Minister;

Hon'ble Minister for Law and Legislative Affairs, Shri R. B. Subba;

Local representative/MLA, Hon'ble Minister for Health Care, Human Service & Family Welfare Department, Shri A.K. Ghatani;

My esteemed Brother Justice Bhaskar Raj Pradhan;

My dear friend Justice A. P. Subba and Mrs. Subba;

Registrar General, Registrar;

Law Secretary;

All Judicial Officers;

Principal Chief Engineer-cum-Secretary, Buildings & Housing Department;

Learned Senior Advocates & Advocates;

Police Officers, other Officers;

Consumers of the justice, Public of the Area;

Print & Electronic Media;

Ladies & Gentlemen.

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First of all, I would like to congratulate people of this area led by local MLA for having received a place in this division where one can ventilate their grievances by having access to the judicial forum. The establishment of a Court has been recognized by the Supreme

Court in several cases. Recently, in one *Anita Kushwaha vs. Pushap Sudan* [(2016) 8 SCC 509], wherein importance of a Court is highlighted, holding that access to justice is a facet of fundamental rights enshrined in the Constitution of India. Article 14 of the Constitution of India provides for equality before law, equal protection of law. It is also your right to live with dignity and if there is no adjudicatory mechanism for determination of your entitlement to basic rights and as such it negates the said guarantee enshrined in the Constitution and becomes a mere teasing illusion. The Supreme Court of India has said that there are four characteristics, which come within the meaning of access to justice. There are two aspects, which a State has to perform. The one is to provide effective adjudicatory mechanism, on the basis of recommendation made by the Judiciary and the second is that the said mechanism should be provided within the reasonable access in terms of distance. We are getting all co-operations from the State Government. So, this part is being done by the State Government very effectively, very sincerely, having commitment to the welfare of the people.

There are two other parts, i.e. the process of adjudication must be speedy and also it should be affordable. This is for Judiciary to ensure. How it can be done by the Judiciary? All Judicial Officers are here, Members of the Bar are here, they are also a part of Judiciary. So, trial whether it is of civil nature or criminal nature be conducted speedily. 'Speedy' means 'don't ask for more adjournments'.

Sometimes, in a place like Sikkim, it is said that we have to maintain some cases in the Court dockets. Not necessary. If Court can finish a case and advocates cooperate or assist the Court in expediting the disposal of case, it has to be done and that is one basic requirement of access to justice and effective justice. This is one part and the second part is affordability. How it can be affordable. If you do not put more burdens on the litigants, like you may charge your litigants case-wise not on appearance-wise. If you charge lump sum that is good enough, better to finish, go for other disputes where people are suffering and they do not know where to go.

The Full Court of the High Court decided that let every revenue divisions have one civil court. I understand that there are 16 revenue divisions in the State of Sikkim. With the grace of God and with the cooperation of present administrative set up, we have been able to create four sub-divisional Courts in each District. That one at Chungthang in North Sikkim was created long back and actually it became functional only recently. Soreng Court was there but there was no building. Luckily, a beautiful building has come up and recently it was inaugurated on 21<sup>st</sup> April 2018. Last month on 30<sup>th</sup> April, 2018, a Court was inaugurated at Rangpo, East Sikkim and this is the fourth in South Sikkim.

While discussing today, I requested Hon'ble the Chief Minister that why not to have two or three more Courts at a place where it is immediately needed. I am happy to inform all of you that the Hon'ble Chief Minister has agreed, in principle, may be at Pakyong

or at Ravangla soon. I am really grateful, personally to Hon'ble Chief Minister of Sikkim for cooperation and I compliment all who have worked in accomplishment of this work, Law Minister, Secretaries and all.

Now, after this Court is inaugurated right now from this moment as all the cases have been transferred, no person of this area is required to take trouble of going to Namchi for adjudication. This place, I am told, is known for vibrant *'Maghey Mela'* nearby Rangit River. Now, it will be known for judicial dispensation also, I expect.

At this juncture, I would like to quote famous words of renowned Scottish writer, **Robert Louis Stevenson** - *"Don't judge each day by the harvest you reap but by the seeds you plant"*. I must say that the seeds are planted for enabling access to justice for all consumers of justice and it will harvest into a blooming institution.

I compliment once again to all of you and I wish you all the best.

**Good Luck!**