

SUPREME COURT OF INDIA

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.22903/2003
(From the judgement and order dated 26/08/2003 in WP 5/03
of The HIGH COURT OF SIKKIM at Gangtok)

TSHURPHU LABRANG Petitioner (s)

VERSUS

KARMAPA CHARITABLE TRUST & ORS. Respondent (s)
(With Appln(s). for permission to place addl. documents Vol.III
to VI and exemption from filing O.T. and clarification and
directions and with prayer for interim relief and office report)

Date : 05/07/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s) Mr. A.B. Saharya, Sr. Adv.
Mr. Sudarshan Misra, Sr. Adv.
Mr. Naresh Mathur, Adv.
Mr. Sudarsh Menon, Adv.

For Respondent (s) Mr. Parag Tripathy, Sr. Adv.
Mr. Parveen Agarwal, Adv.
Mr. Somnath Mukherjee, Adv.
Mr. S.S. Hamal, Adv.
Mr. Kamal Jetely, Adv.
Mr. Gurpreet Singh, Adv.
Mr. Jayant, Adv.
Mr. Harish N. Salve, Sr. Adv.
Mr. Deepak K. Thakur, Adv.
Mr. K.V.Mohan, Adv.
Mr. Brijender Chahar, Adv.
Mrs. Jyoti Chahar, Adv.
Mr. Ashok Mathur, Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. B.S. Chahar, learned counsel states that the State of Sikkim does not desire to file affidavit.

We see no reason to interfere. The Special Leave Petition is dismissed. We, however, clarify that the trial court will not take into consideration any observations made in the impugned order or in the order of the District Judge dismissing the application.

(K.K. Chawla) Court Master

(Jasbir Singh) Court Master