

WP (PIL) No. 14/2019

IN RE: ESTABLISHMENT OF OLD AGE HOMES IN ALL DISTRICTS OF SIKKIM

For Petitioner : Mr. D.K. Siwakoti, Amicus Curiae.

For Respondents no. 1 to 7 : Mr. Sudesh Joshi, Addl. Advocate General.
Mr. Yadev Sharma, Govt. Advocate.
Mr. Sujan Sunwar, Asst. Govt. Advocate.

Ms. Renuka Lohar, Legal Retainer for Women and Child Development Department, Government of Sikkim.

For Respondent no.8 : Ms. Sangita Pradhan, Asst. Solicitor General.

Date: 17/02/2022

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)

Pursuant to our order dated 21st December, 2021, the status report, in the form of an affidavit, has been filed by the Joint Secretary in Women & Child Development Department, Government of Sikkim, wherefrom it appears that the process of establishing Old Age Homes in all the districts of Sikkim – except East Sikkim – has already commenced. These Old Age Homes are in various stages of construction. Construction of an Old Age Home at South Sikkim has already been completed and the process is underway for handing over the same to an NGO based in Namchi, South Sikkim, with due approval of the State Government.

So far as the other districts are concerned, as stated hereinabove, Old Age Homes are in various stages of construction, except in East Sikkim, for which budget is likely to be provided for construction of the Old Age Home in the ensuing financial year.

Taking note of the above facts, we are of the view that the State of Sikkim has initiated the process of establishment of Old Age Homes in all the districts of Sikkim and as such no useful purpose will be served in keeping the instant writ petition – which is in the nature of a Public Interest Litigation – pending.

The instant writ petition stands, accordingly, disposed of.

(Meenakshi Madan Rai)
Judge

(Biswanath Somadder)
Chief Justice

jk/ds/avi