COURT NO.1

HIGH COURT OF SIKKIM : GANGTOK
Record of Proceedings

CNR No. SKHC01-000019-2025

CONT. CASE(C) No.02 of 2025

UMESH AGARWAL AND OTHERS PETITIONER(S)

VERSUS

MAHESH AGARWAL AND OTHERS RESPONDENT(S)

For Petitioner(s) : Ms. K. D. Bhutia, Advocate.

For Respondent(s)
R-1 : Mr. N. Rai, Senior Advocate with Ms. Tara Devi Chettri, Advocate.

R-2 : Mr. Sushant Subba and Mr. Nirmal Thapa, Advocates.

Date : 19/08/2026

CORAM
HON'BLE MR. JUSTICE A. MUHAMED MUSTAQUE, CHIEF JUSTICE

ORDER

This Contempt Case is arising out of the Judgment of this Court passed in RSA No. 05 of 2019. The proper remedy in such a situation is to approach the Civil Court rather than this Court in Contempt jurisdiction.

In Civil matters rights and obligations of parties are declared through a Decree or Order. That cannot be a subject matter of Contempt.

Accordingly, Contempt Case(C) No.02 of 2025 is disposed of with liberty to approach the Civil Court if any such other rights are infringed as declared by this Court.

Chief Justice

ds/arc