***The Judge is not exercise discretion to allow judicial interference beyond the procedure established under the enactment: High court of Sikkim***

The Judge is not exercise discretion to allow judicial interference beyond the procedure established under the enactment, and the same issue was held in the judgement passed by a division bench ***decision HON’BLE MR. JUSTICE BISWANATH SOMADDER, CHIEF JUSTICE HON’BLE MR. JUSTICE BHASKAR RAJ PRADHAN, JUDG***E .In the matter ***M/S LINKWELL TELESYSTEMS PVT. LTD.VERSUS STATE OF SIKKIM & ORS.[ WA No. 03/2021 ]*** dealt with an issue mentioned above.

This appeal, preferred by the writ petitioner, arises in respect of a judgment and order dated 09th June, 2021, passed by a learned Single Judge in W.P.(C) No.23 of 2021 (M/s Linkwell Telesystems Pvt. Ltd. vs. The State of Sikkim & Ors.). By the impugned judgment and order, the learned Single Judge was pleased to dismiss the writ petition for reasons stated therein.

In light of the detailed discussions that have emanated supra, and in view of the obtaining facts and circumstances in the instant matter as reflected hereinabove, I am of the considered opinion that the Petitioner has failed to put forth any exceptional circumstances for invoking the Writ jurisdiction of this Court under Article 226 of the Constitution.

The court perused the facts and arguments presented in the case So far as the subsequent award of contract to the private respondent no.3 is concerned, in the facts of this case, that cannot be the subject matter to be decided by the writ Court. Clearly, in the facts of the instant case, the appellant/writ petitioner’s remedies are elsewhere.