

HIGH COURT OF SIKKIM
Record of Proceedings**WP(C) No.69 of 2025**

ANIL LAL S

PETITIONER

VERSUS

UNION OF INDIA AND OTHERS

RESPONDENTS

Date: 05.11.2025**CORAM : THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE**

For Petitioner Mr. O. P. Bhandari, Advocate.

For Respondents

R-1

Ms. Sangita Pradhan, Deputy Solicitor General of India.

R-2 to 6

Mr. A. Moulik, Senior Advocate.

Mr. Ranjit Prasad, Advocate.

ORDER

Heard Learned Counsel for the Petitioner. It is submitted by Learned Counsel that the Petitioner belongs to the OBC non-creamy layer category and is a meritorious and experienced academician. He was the sole candidate in the interview for the post of a Professor earmarked in the unreserved category at NIT Sikkim. Despite his superior qualifications he was denied the post due to discriminatory policies of the Respondents that prevents the appointment of OBC candidates against General category vacancies. The Petitioner was offered the post of an Associate Professor in an illegally created OBC vacancy to prevent the Petitioner's placement in an available unreserved vacancy. The selection process comprised of the involvement of the Respondents No.4, 5 and 6 as members of the Board of Governors, who approved the interview board recommendation while simultaneously recommending their own candidates for the post of Associate Professor. The Petitioner has a legitimate expectation of being appointed to the Professor position but was prevented due to the inaction of the Respondents No.2 and 3 who failed to initiate recruitment for the Professor post despite existing unfilled vacancy. That, these facts have affected the Petitioner adversely in his profession and violated his fundamental rights. He has exhausted all internal remedies including representation to the Respondent No.2 and their OBC Commission. Hence, the instant Writ Petition.

Issue Notice to the Respondents.

Learned Deputy Solicitor General enters appearance for the Respondent No.1 on advance Notice and waives formal Notice.

Learned Senior Counsel Mr. A. Moulik assisted by Learned Counsel Mr. Ranjit Prasad enters appearance for the Respondents No.2 to 6 on advance Notice and waives formal Notice.

Let Counter- Affidavits be filed within four weeks' and Rejoinder thereto two weeks' thereafter.

List on 13-03-2026.

Judge
05.11.2025