

WP(C) No. 70/2016
Miss Dibya Gurung Vs. State of Sikkim & Ors.

BEFORE
BHASKAR RAJ PRADHAN, J.

14.03.18 Present: Mr. Rinzing Dorjee Tamang, Mr. Sonam Chhoden Bhutia and Ms. Girmey Bhutia, Advocates for the Petitioner.

Mr. Karma Thinlay, Senior Govt. Advocate with Mr. Thinlay Dorjee, Govt. Advocate and Mr. S.K Chhetri, Asst. Govt. Advocate for Respondent No.1.

Mr. Bhusan Nepal, Advocate for Respondent No.2.

Mr. Ajay Rathi, and Ms. Mr. Aditya Makkhim, Advocates for Respondent No. 3.

Mr. A.K Upadhyaya, Sr. Advocate with Ms. Aruna Chhetri and Ms. Hemlata Sharma, Advocates for Respondent No. 4.

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Heard in part.

Heard the Petitioner as well as Respondent No.1. It is an admitted position that the Architect Act, 1972 has not been enforced in Sikkim. In view of the same a peculiar question arises for consideration in the present case. The question is whether the State can use the nomenclature 'Architect' to advertise for post of the Government prescribing a degree in Architecture from a recognized university alone as an eligibility criteria without prescribing that the incumbent must be an Architect within the meaning of Section 2 (a) of the Architect Act, 1972?

The Respondent No.3 seeks a short time to make further clarification on this point.

The matter adjourned to 02.04.2018.

The learned Counsels assisting this Court are requested to examine the matter and place their respective submissions on the next date.

Judge
14-03-2018

Index : Yes / No
Internet : Yes / No

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