

(2025) 12 SIK CK 0033

Sikkim HC

Case No: Writ Petition (C) No. 74 Of 2025

Dr. Azel Rai And Others

APPELLANT

Vs

State Of Sikkim And Others

RESPONDENT

Date of Decision: Dec. 12, 2025

Hon'ble Judges: Meenakshi Madan Rai, J

Bench: Single Bench

Advocate: Pradeep Tamang, Lahang Limboo, Sawal Rai, Thinlay Dorjee Bhutia, Pema Bhutia, Aarohe Bhalla, Bhusan Nepal

Final Decision: Disposed Of

Judgement

Meenakshi Madan Rai, J

1. On Mention Memo being filed by the Respondent No.1 on 11-12-2025, this matter is taken up today.

2. I.A. No.02 of 2025 is an application filed on behalf of the Respondent No.2, Sikkim Public Service Commission (SPSC), seeking disposal of the instant Writ Petition.

3. It is submitted by Learned Senior Counsel for the Respondent No.2 that, this Court vide Order dated 17-11-2025, in I.A. No.01 of 2025, had directed the Respondent No.2 to permit the Petitioners to appear for the Viva-Voce which were scheduled to take place on 18-11-2025, 19-11-2025 and 20-11-2025. In compliance to the Order of this Court, the Petitioners were allowed to appear for the Viva-Voce and their interviews conducted on 19-11-2025 and 20-11-2025 along with other candidates. The final results of the said selection process is yet to be declared by the Respondent No.2. That, as all the prayers of the Petitioners before this Court were to permit them to appear in the Viva-Voce which has accordingly been complied with, this Writ Petition has thereby become infructuous and is liable to be disposed of.

4. Learned Counsel for the Petitioners submits that in fact there is a Notification bearing No.44/GEN/DOP, dated 27-10-2015, of the Department of Personnel,

Administrative Reforms, Training and Public Grievances, Government of Sikkim, which allows persons who are in the last year of their graduation programme to appear for the examinations. The Respondent No.2 vide various Notices issued for the purposes of this examination have not specified as to whether the 2015 Notification has been superseded. Hence, this issue is yet to be adjudicated upon.

5. Considered submissions.

6. I have perused the pleadings in the Writ Petition with regard to the Notification of 2015. There are no prayers made in the Writ Petition with regard to the Notification or other details thereto. In such circumstances, the submissions of Learned Counsel for the Petitioners with regard to the Notification of 2015 cannot not be countenanced.

7. Writ Petition is disposed of accordingly.

8. In such circumstances, nothing restrains the Respondent No.2 from declaring the final results of the selection process.

9. Pending applications, if any, also stand disposed of.