

GAHC030004532025



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/85/2025

Smt. Lalthianglimi Zote
W/o Sh. Laltanpuia
R/o TN-191, Tlangnuam,
Aizawl, Mizoram

VERSUS

The Union of India and 3 Ors.
R/b the Secretary to the Govt. of India, Ministry of Education, Department of Higher
Education, 127-C, Shastri Bhawan, New Delhi 2:The National Institute of
Technology (NIT)
Mizoram
R/b its Director
Chaltlang
Aizawl
Mizoram

3:The Registrar
(NIT)
Mizoram
Chaltlang
Aizawl
Mizoram

4:The Board of Governors (BOG)
NIT
Mizoram
R/b its Chairman

Chaltlang
Aizawl
Mizora

Advocate for the Petitioner : Mr C Lalramzauva Sr. Adv.

Advocate for the Respondent : Ms Zairemsangpuii, CGC for R 1

**BEFORE
HON'BLE MRS. JUSTICE MARLI VANKUNG
ORDER**

25.07.2025

Heard Mr. C. Lalramzauva, learned Senior counsel, assisted by Ms. Amira. L. Hmar, learned counsel, who has filed the instant application under Article 226 of the Constitution of India for the issuance of the appropriate writ or direction to the respondents for the violation of the petitioner's Fundamental Rights as provided under Articles 14 and 16 of the Constitution of India in the impugned Order dated 07.04.2025.

The case of the petitioner is that the petitioner was appointed to the post of Deputy Registrar vide office Order dated 11.07.2011 and had joined the said post on 06.09.2011. Thereafter, in the Board of Governors' meeting held on 25.05.2022, a decision was taken for the appointment of the petitioner as Deputy Registrar and was regularized w.e.f. 06.09.2011 and his services post also confirm w.e.f. 06.09.2012. A meeting of the DPC on 03.06.2023 had also recommended for the upgradation of the petitioner from the post of Deputy Registrar in pay level 12 to level 13, as per the

revised pay 7th CPC pay or PB – 4 (Rs. 37,400 - 67,000)+ GP Rs. 87,000 i.e., from Deputy Registrar to Joint Registrar at NIT Mizoram w.e.f. 06.09.2016 i.e., the date of her eligibility for upgradation after five years of service as Deputy Registrar as per the 2019 existing Recruitment Rules.

The recommendation of the DPC was then placed before BOG held on 14.06.2024, wherein her upgradation was approved but with effect only from the date of the meeting, i.e., 14.06.2024 and not 06.09.2016. Aggrieved, the petitioner approached this Court by filing WP(C) 146/2024 and the said WP(C) was disposed of vide Order dated 20.01.2025, wherein, without entering into the merits, this Court had directed the respondents to dispose of the representations made by the petitioner for consideration of her upgradation from 06.09.2016.

However, when the respondent No.4, held its meeting on 21.03.2025, it was decided that the upgradation of the petitioner and her re-designation as Joint Registrar (personal to the incumbent) at NIT Mizoram should be w.e.f. 16.06.2024 (i.e., the date of approval of the Board of Governors) and that it cannot be given retrospective effect from the date of completion of 5 years, as the requirement of DPC and approval of the Board of Governors was not fulfilled. Aggrieved by the said decision made by the Board of

Governors 21.03.2025, and the Order dated 07.04.2025, the instant writ petition has been filed.

Issue notice of motion to the respondents.

Ms. Baby Laldinzuali, learned counsel accepts notice on behalf of her senior Ms. Zairemsangpuii, learned CGC for respondent No.1.

Notice be issued to the respondent Nos. 2 to 4 through registered post with A/D card within 3 (three) working days, returnable by three weeks.

Requisite copies of the writ petition to be duly furnished to learned counsel for respondent No.1.

List the matter after **3 (three) weeks**.

JUDGE

Comparing Assistant