

IN THE HIGH COURT OF SIKKIM : GANGTOK
CIVIL EXTRAORDINARY JURISDICTION

W.P.(PIL) No. 03 of 2025

Shri Dhan Raj Gurung,
Age about 64 years
S/o Late Karna Bahadur Gurung,
Resident of Pakyong,
P.O. Pakyong, P.S. Pakyong,
District-Pakyong, Sikkim. Pin: 737 106. **...Petitioner**

Versus

1. Sikkim University,
Through the Registrar,
6th Mile, Samdur,
P.O. Tadong, Gangtok,
East Sikkim-737102.
2. Union of India,
Through the Secretary,
Ministry of Education,
122-C Shastri Bhawan,
Department of Higher Education,
Shastri Bhawan, New Delhi-110001.
3. State of Sikkim,
Through the Chief Secretary,
Government of Sikkim,
Tashiling Secretariat, Gangtok-737101. **...Respondents**

For Petitioner : Mr. Kazi Sangay Thupden, Mr. O.P. Bhandari,
Mr. Sajal Sharma, Ms. Prerana Rai, Ms.
Srijana Bagdas and Mr. Gyaltsen Barfungpa,
Advocates.

For Respondent no.1 : Mr. Bhusan Nepal, Advocate.

For Respondent no.2 : Ms. Sangita Pradhan, Deputy Solicitor
General of India assisted by Ms. Sittal Balmiki
and Ms. Natasha Pradhan, Advocates.

For Respondent no.3 : Mr. Zangpo Sherpa, Additional Advocate
General with Mr. Sujan Sunwar, Assistant
Government Advocate.

Date: 24/09 /2025

CORAM:

HON'BLE MR. JUSTICE BISWANATH SOMADDER, CHIEF JUSTICE
HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE

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JUDGMENT : (per the Hon'ble, the Chief Justice)

Pursuant to our last order dated 21st August, 2025, "The Linguistic Oversight Expert Committee", comprising of eminent language experts and distinguished scholars with demonstrable expertise in Nepali linguistics, phonetics/phonology, pedagogy and curriculum design, has filed a detailed report before this Court through the office of the respondent no.3, being the State of Sikkim. A bare perusal of the report of the "Linguistic Oversight Expert Committee" reveals *inter alia* the following:-

"

After the deliberation, The Committee strongly recommends to reinstate the Nepali Consonants (sic) ण, थ, ष, ड, ढ, क्ष, त्र, ज्ञ as prayed by the petitioner, which is logical and important for the conservation and preservation of Nepali Alphabets for future posterity.

....."

It is, therefore, evident that the writ petitioner's grievances were *bona fide* and there is an imperative necessity to preserve and protect the linguistic integrity and sanctity of the Nepali language which almost everyone here in Sikkim speaks. Even if there are minor distortions noticed while an educational institution imparts through its teachings the Nepali language, such distortions may compromise with the linguistic integrity and academic accuracy of the language and can also cause a direct impact on the delicate distinction between the Nepali language and other languages where the script is common, namely, the *Devanagari* script.

2. From the report of the "Linguistic Oversight Expert Committee" we further notice that it prays for continued monitoring of the usage of Nepali language in different domains; such as, universities, colleges, schools for

teaching learning process along with publications made by publication houses as also media, both print and social.

3. This Court finds substance and accepts the prayer made by the “Linguistic Oversight Expert Committee”, which was constituted by this Court in terms of its last order dated 21st August, 2025.

4. In such circumstances, we dispose of the instant Public Interest Litigation, with the following directions:-

(i) The respondent no.1, i.e., Sikkim University, shall take immediate steps to act on the recommendation of the “Linguistic Oversight Expert Committee” to reinstate the Nepali consonants “ग, श, ष, ड, ढ, क्ष, त्र, ज्ञ”, being logical and important for the conservation and preservation of Nepali Alphabets for future posterity. For this purpose, the respondent no.1 shall direct the author(s) of the books in question, as described in paragraph 13 of the writ petition, to issue necessary corrigendum forthwith. If the author(s) fail to comply, the respondent no.1 shall not allow these books to be part of its curriculum.

(ii) Once the above direction is carried out by the respondent no.1, i.e., Sikkim University, it will intimate the “Linguistic Oversight Expert Committee” that its recommendation has been duly complied.

(iii) The “Linguistic Oversight Expert Committee” shall continue monitoring the usage of Nepali language in different domains; such as, universities, colleges, schools for teaching learning process along with publications made by publication houses as also media, both print and social.

(iv) The respondent no.3, i.e., the State of Sikkim, shall provide full support and cooperation to the “Linguistic Oversight Expert Committee” for the purposes as stated hereinabove.

5. The writ petition, being WP (PIL) No.03 of 2025, stands disposed of accordingly.

(Meenakshi Madan Rai)
Judge

(Biswanath Somadder)
Chief Justice

Jk/ds/ami