

# Navneet Kishore Dixit vs Union Of India And Ors on 22 May, 2026

THE HIGH COURT OF SIKKIM: GANGTOK  
(Civil Extra-Ordinary Jurisdiction)

-----  
SINGLE BENCH: THE HON'BLE MR. JUSTICE A. MUHAMED MUSTAQUE, CHIEF JUSTICE  
-----

W.P(C) No.02 of 2026

Shri Navneet Kishore Dixit  
Aged about 58 years,  
Son of Late Sri Ram Manohar Lal Dixit  
Resident of Nirala Estate, Greater Noida West, UP  
Presently posted as the Superintending Engineer (Civil),  
HQ Swastik, Gangtok - 737101  
Border Roads Organisation under Ministry of Defence

... Petitioner

versus

1. Union of India  
Through Secretary,  
Ministry of Defence,  
South Block, Raisina Hills,  
New Delhi - 110011  
Email : defsecy@nic.in

2. Director General Border Roads (DGBR),  
Seema Sadak Bhawan,  
Ring Road, Delhi Cantt.,  
New Delhi - 110010  
Email : bro-dg@nic.in  
bro-dg@bro.gov.in

3. Joint Secretary, (BR)  
Ministry of Defence,  
South Block, Raisina Hills,  
New Delhi - 110011

... Respondents  
-----

Appearance:

Mr. Sudesh Joshi, Senior Advocate with Mrs. Manita Pradhan and Mr. Adarsh Gurung, Advocates for the Petitioner.

Ms. Sangita Pradhan, Deputy Solicitor General of India with Ms. Natasha Pradhan and Mr. Amit Kumar Sharma, Advocates, for the Respondent(s).

-----  
Date of Hearing : 22.05.2026

Date of Judgment : 22.05.2026

Date on which uploaded : 25.05.2026  
-----

JUDGMENT

(Hon'ble Mr. Justice A. Muhamed Mustaque, C.J.) The petitioner is currently working as a Superintendent Engineer (Civil) in the Border Roads Organisation (BRO). There are more than ten (10) vacancies in the cadre of Chief Engineer and he was due to be considered for promotion as the Chief Engineer. However, on account of the pendency of a vigilance enquiry, he was not considered for promotion. [2] It was submitted by the Learned Senior Counsel Mr. Sudesh Joshi, that many others who were similarly situated as the Petitioner were considered for promotion and were promoted during the pending of the present litigation. Thereby, this Court, vide Order dated 19.02.2026, passed the following Order:

"It is submitted by the learned Deputy Solicitor General of India, on instructions, that there are ten (10) vacancies existing in the cadre of Chief Engineer, Border Roads Organisation (BRO). If that is so, one of such vacancies shall be kept vacant until a further decision is taken in this matter.

It is made clear that the Respondents are at liberty to proceed with promotions against the WP (C)/2/2026 (Navneet Kishore Dixit vs. Union of India & Ors.) remaining vacancies. However, the inter se seniority shall be subject to the final decision in this case, and all other promotees shall be informed about the pendency of this litigation before this Court while they are being promoted. Matter stands over to 06th April, 2026".

[3] It is now submitted by the Learned Deputy Solicitor General of India that the vigilance clearance has been technically granted and there is no impediment in considering the Petitioner for promotion to the post of Chief Engineer. It is further submitted by the Learned Senior Counsel for the Petitioner that certain other benefits were also due since January, 2023.

[4] Having considered the fact that vigilance clearance has been technically granted, there shall be a

direction to constitute a Departmental Promotion Committee (DPC) to consider the Petitioner for promotion in accordance with the relevant Rules. If any monetary benefits are found to be due, which were withheld on account of administrative reasons arising out of the vigilance enquiry, the same shall be considered for disbursal without any delay. Anyway, the entire process shall be completed within a period of eight weeks. If the Petitioner is found eligible promotion to the post of Chief Engineer, the inter-se seniority shall be fixed in accordance with his seniority.

WP (C)/2/2026 (Navneet Kishore Dixit vs. Union of India & Ors.) [5] Accordingly, WP(C) No. 02 of 2026 stands disposed of in the above terms.

Chief Justice Approved for Reporting : Yes/No ak/arc