



2024:UHC:9601

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

17TH DECEMBER, 2024

Writ Petition No. 3441 of 2024 (M/ S)

Harsh Vidya Mandir (PG) College and Another
.....Petitioners
Versus

State of Uttarakhand and Another
.....Respondents

Counsel for the petitioners : Mr. Shobhit Saharia,
Advocate.

Counsel for the respondents : Mr. G.C. Kandpal,
Deputy Advocate General
with Mr. Suyash Pant,
Standing Counsel.

Hon'ble Alok Kumar Verma, J.

The present Writ Petition under Article 226 of the
Constitution of India has been filed with the following
prayers:-

“(i) Issue a writ, order or direction in the nature of
certiorari, quashing the order dated 30.11.2024 bearing
even no.4446 annexed as Annexure no.1 to this writ
petition.

(ii) Issue a writ, order or direction in the nature of
mandamus directing the respondents to allow the



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petitioner's College to initiate the selection and recruitment process on the vacant posts, strictly as per the reservation roster approved by the State Government and also strictly as per the procedure provided under law.

(iii) Issue any suitable order or direction of any nature which this Hon'ble Court may deem fit and proper.

(iv) Award the cost of the writ petition in favour of the petitioner."

2. The petitioner college had requested for permission to publish advertisement for filling up the posts vide its letter dated 23.11.2024 sent to the Secretary, Higher Education, the respondent no.1. The respondent no.1 informed the petitioner college through impugned letter dated 30.11.2024 that the said posts, except the post of Assistant Professor (Botany & Economics), have been vacant for more than three years, hence, the vacant posts have automatically been abolished. Therefore, through impugned letter, the petitioner has been directed to submit a proposal as per letters dated 23.11.2024 to revive the said posts.

3. Heard Mr. Shobhit Saharia, learned counsel for the petitioners and Mr. G.C. Kandpal, learned Deputy Advocate General with Mr. Suyash Pant, learned Standing Counsel for the respondents.

4. Mr. Shobhit Saharia, Advocate has requested to decide the present writ petition directing the respondent no.1



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to decide the proposal of the petitioner, as expeditiously as possible, for which the petitioners shall submit its proposal before the respondent no.1 within a period of one week from today.

5. Mr. G.C. Kandpal, Deputy Advocate General has sought three weeks time to decide the proposal of the petitioners.

6. With the consent of both the parties, the present writ petition is disposed of with a direction to the respondent no.1 that if the petitioners submit its proposal within one week from today, the respondent no.1 shall consider and decide the said proposal as expeditiously as possible, but not later than three weeks from the date of submission of the proposal along with certified copy of this order.

ALOK KUMAR VERMA, J.

Date : 17.12.2024

JKJ/ Pant.

PANKAJ KUMAR PANT