



**HON'BLE THE CHIEF JUSTICE SRI G. NARENDAR
AND
HON'BLE SRI JUSTICE SUBHASH UPADHYAY**

23RD SEPTEMBER, 2025



2) Learned counsel submits that a Co-ordinate Bench of this Court on an earlier occasion dealing with the similar issue raised in *Writ Petition (S/B) No. 344 of 2024*, titled as '*Chandeshwar Tiwari Vs State of Uttarakhand and orders*', produced as Annexure-13, was pleased to pass the following order :

"Mr. S.S. Chauhan with Mr. Anil Bisht, learned Counsel(s) for the petitioner.

2. Mr. Pooran Singh Bisht, learned Addl. CSC for the State.

3. Mr. Ajay Singh Bisht, learned Counsel for respondent no.3-ICAR.

4. Mr. Shubhang Dobhal, learned Counsel for respondent nos.4 to 6-University.

5. Petitioner is serving as Professor (Agronomy) in Krishi Vigyan Kendra, Jeolikote, Nainital which is an Extension Center of 'G.B. Pant University of Agriculture and Technology'. According to petitioner, he enjoys the status of 'teacher' as defined under Section 2(k) of the Uttar Pradesh Krishi Evam Prodyogik Vishwavidyalaya Adhiniyam, 1958.

6. According to him, he is being made to retire at the age of 60 years which is in teeth of policy decision taken by the State Government on 20.09.2013, whereby, the age of retirement of teachers of Agriculture University was increased from 60 to 65 years.

7. Learned Counsel for petitioner has referred to a judgment rendered by this Court in WPSB No.333 of



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2023 (*Dr. Anuradha Dutta v. State & others*) and batch, decided by a common judgment dated 21.05.2024. He submits that identical issue was decided in those writ petitions, therefore, the act of University authorities, in retiring the petitioner at the age of 60 years, is unjust and improper.

8. Learned Counsel for petitioner submits that petitioner had made representation highlighting the aforesaid aspect, however his representation was not considered and it was returned by the Chief Establishment Officer of the University. He submits that petitioner may be permitted to move a fresh representation which may be directed to be decided expeditiously.

9. Having regard to the aforesaid facts and circumstances, present writ petition is disposed of with liberty to the petitioner to make fresh representation to the competent authority in the University. If petitioner makes such representation within 48 hours, the competent authority shall take decision there-upon within two weeks from the date of its receipt.

10. Pending application, if any, stands disposed of."

3) Another Co-ordinate Bench while disposing of *Writ Petition (S/B) No. 297 of 2025*, titled as '*Dr. Mohammad Sarfaraz Khan Vs State of Uttarakhand and others*', was also pleased to follow the similar order passed in *Writ Petition (S/B) No. 333 of 2023*.



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4) In that view the instant writ petition also stands disposed of in similar terms.

5) The petitioner is entitled to make a fresh representation within a week from today. The same shall be considered and disposed of with a week thereafter.

G. NARENDAR, C.J.

SUBHASH UPADHYAY, J.

Dt: 23RD SEPTEMBER, 2025
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