



2025:UHC:11477

HIGH COURT OF UTTARAKHAND AT NAINITAL

HON'BLE SRI JUSTICE SUBHASH UPADHYAY

22ND DECEMBER, 2025

WRIT PETITION (M/S) NO. 3555 OF 2025

Committee of Management Inter College Naugaon

...Petitioner.

Versus

State of Uttarakhand and Others

...Respondents.

Counsel for the petitioner	:	Mr. Yogesh Kumar Pacholia, learned counsel.
Counsel for the respondent	:	Mr. Suyash Pant, learned Standing Counsel along with Mr. Devesh Ghildiyal, learned Brief Holder for the State of Uttarakhand.

JUDGMENT: (per Mr. Subhash Upadhyay, J.)

Heard the learned counsel for the petitioner and learned counsel for the State.

2. Learned counsel for the petitioner has filed this petition with the following prayers:

"I-Issue a writ, rule, order or direction in the nature of Mandamus, commanding and directing the respondents to give approval / permission to the Committee of Management to fill up the 3 vacant posts of Lecturer and 2 vacant posts of Assistant Teachers (LT - Grade), by issuing Advertisement for fresh recruitment.

II- Issue any other, other writ, rule, order or direction, which this Hon'ble Court may deem fit and proper in the circumstances of the case.

III- Cost of petition may be awarded in favour of Petitioners."

3. Learned counsel for the petitioner submits that Committee of Management of different Government aided educational institutions had challenged the order dated 19.09.2023 by which a ban was imposed by the State



Government on the appointment of teaching and non-teaching posts in the Government aided educational institutions.

4. Learned counsel for the petitioner submits that the Co-ordinate Bench of this Court vide order dated 03.09.2025 passed in WPMS No.2839 of 2023 had set aside order dated 19.09.2023 by which ban was imposed on appointment of teaching and non-teaching staff. He refers to paragraph no.19 of order dated 03.09.2025 which reads as under:-

“19. In such view of the matter, the ban imposed by Secretary, Secondary Education, Government of Uttarakhand vide order dated 19.09.2023 is liable to be set aside and is hereby set aside. However, it shall be open to the competent authority to device ways and means and to implement them, by issuing necessary instructions to subordinate officers of the Education Department, for plugging the loopholes in the system for ensuring that selection for appointment in aided schools is made purely on merit and other considerations are completely eliminated in the process of selection. The applications, if made, by the petitioners seeking permission to advertise the vacancies, shall be dealt with by the authorities as per law, and necessary order shall be passed within four weeks from the date of presentation of certified copy of this order before them.”

5. Learned counsel for the petitioner thus submits that the application submitted by the Committee of Management on 13.10.2025 for granting approval / permission to the Committee of Management to fill up the 3 vacant posts of Lecturer and 2 vacant posts of Assistant Teachers (LT - Grade), by issuing an advertisement may be considered in the light of the said directions issued in the said writ petition.

6. Learned counsel for the respondent State submits



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that the writ petition can be disposed of in terms of the said order and the authorities shall consider the request made by the Committee of Management, as per law.

7. The submissions are placed on record.

8. The writ petition is disposed of in terms of paragraph no.19 of the aforesaid order dated 03.09.2025 passed in WPMS No.2839 of 2023. The respondents shall consider the application made by the Committee of Management on 13.10.2025 for filling up of vacant posts of Lecturers and Assistant Teachers (LT - Grade), in accordance with law and necessary order thereon shall be passed within a period of four weeks from the date of receipt of a certified copy of this order.

9. As a sequel thereto, the miscellaneous applications, if any pending, shall stand closed.

SUBHASH UPADHYAY, J.

Dt: 22nd December, 2025

Sukhbant

**SUKHBANT
SINGH**

 Digitally signed by SUKHBANT SINGH
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