

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (S/B) No. 569 of 2025

Bhawani Prakash Gupta

.....Petitioner

Versus

Union of India and others

....Respondents

Present:

Mr. Abhijay Negi, Advocate for the petitioner.

Mr. Saurabh Adhikari, Standing Counsel for the Union of India/respondent no.2.

Mr. Rahul Verma, D.A.G. for the State/respondent nos. 2 to 4.

**Coram: Hon'ble Ravindra Maithani, J.
Hon'ble Ashish Naithani, J.**

Hon'ble Ravindra Maithani, J.(Oral)

The petitioner has challenged the office memorandum dated 30.11.2025 issued by the respondent no.2, State of Uttarakhand, by which, the respondent no.4 was promoted as Head of Forest Force, Uttarakhand. The petitioner has also sought directions prohibiting Central Administrative Tribunal ("CAT"), Principal Bench, New Delhi, Circuit Bench at Nainital from further proceeding in Original Application No. 4802 of 2025 ("OA"). There are various other reliefs claimed by the petitioner.

2. Heard learned counsel for the parties and perused the record.

3. It is the case of the petitioner that he was the senior-most Indian Forest Service Officer, serving in the State of Uttarakhand. The respondent no.3/Special Selection Committee for selection of Head of

Forest Force, Uttarakhand considered and appointed respondent no.4 as the Head of Forest Force, Uttarakhand. According to the petitioner his service was unblemished. There was no reason for not considering him for the post of Head of Forest Force. Initially, the petitioner filed a Writ Petition (S/B) No. 537 of 2025, Bhawani Prakash Gupta Vs. Union of India and others before this Court, but it was withdrawn on 11.12.2025 with the liberty to approach the CAT. On that date, the Court observed “ the Court expects that in case, the original application is filed by the petitioner before the CAT, Principal Bench, Delhi for hearing before the Circuit Bench, Nainital, keeping in view the urgency involved, the matter shall definitely be taken up on priority basis.”

4. The petitioner, in fact, did file OA before the CAT, Principal Bench, New Delhi, which according to the petitioner was heard on 18th and 19th December, 2025 and thereafter, judgment has been reserved. The petitioner is aggrieved that his interim relief application filed in the OA has not been considered. The CAT, Principal Bench, New Delhi is on vacation. It will open on 02.01.2026; the petitioner is to superannuate on 31.12.2025. it is argued that CAT Principal Bench, New Delhi could not have just admitted and kept the petition pending for rendering it infructuous.

5. Learned counsel for the petitioner submits that at least this Court should intervene for at least one day justice may be done to the petitioner.

6. Learned counsel for the State of Uttarakhand submits that the respondent no.4 has already been selected by the Special Selection

Committee for selection of the Head of Forest Force, who has also taken charge.

7. Learned counsel for the Union of India submits that the petitioner has already been heard by the CAT, Principal Bench, New Delhi.

8. Undoubtedly, the petition may not be admitted just to render it infructuous. If a litigant approaches the Court so as to seek redressal of his grievances which he raises, they need prompt attention. In the instant case, it cannot be said that OA filed by the petitioner would rendered infructuous after 31.12.2025. According to the petitioner, he has challenged the office memorandum of the State of Uttarakhand, by which the respondent no.4 was appointed Head of Forest Force, Uttarakhand. The decision may tilt in favour of any of the parties. The parties or even this Court may not speculate as to which way the judgment of CAT, Principal Bench, New Delhi goes.

9. The orders dated 18.12.2025 and 19.12.2025 of CAT, Principal Bench, New Delhi were not uploaded as told by the learned counsel for the parties. This Court has requested the Registrar of CAT, Principal Bench, New Delhi to join the proceedings through video conferencing.

10. Mr. Inmesh Kumar, Deputy Registrar (Judicial), CAT, Principal Bench, New Delhi joined through video conferencing. He submits that he is In-charge Registrar, CAT, Principal Bench, New Delhi. He submits that due to some reasons, particularly, due to vacations, the orders could not be uploaded, which have been

uploaded now. The order reveals that, in fact, CAT, Principal Bench, New Delhi has already heard the matter on 19.12.2025 and reserved it for delivery of judgment.

11. Since the petitioner has approached CAT, Principal Bench, New Delhi seeking redressal of his grievance and the petitioner has already been heard and the judgment is reserved, at this stage, this Court may not intervene in the matter. Accordingly, the writ petition deserves to be dismissed.

12. The writ petition is dismissed.

(Ashish Naithani, J.)
30.12.2025

(Ravindra Maithani, J.)
30.12.2025

Jitendra