

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (S/B) No. 19 of 2026

07th January, 2026

Amita Joshi

.....Petitioner

Versus

State of Uttarakhand
and Others

.....Respondent

Mr. Pulak Raj Mullick, learned counsel for the petitioner.

Mr. K.N. Joshi, learned D.A.G. for the State.

Mr. Gaurav Nagpal, learned counsel, holding brief of Mr. Ramji Srivastava,
learned counsel for respondent no. 3.

Mr. Bhagwat Mehra, learned counsel for the caveator.

**Coram: Hon'ble Ravindra Maithani, J.
Hon'ble Alok Mahra, J.**

Oral: Ravindra Maithani, J.

Petitioner has challenged the advertisement dated 19.10.2024 issued by respondent no. 3, Uttarakhand Medical Service Selection Board (for short 'the Board'), by which, applications have been invited for recruiting Pharmacist in Government Medical College situated in Uttarakhand. The challenge is also made to the order dated 11.12.2025 passed by respondent no. 2-the Department of Medical Education, by which, the representation of the petitioner has been rejected.

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

3. It is the case of the petitioner that she is eligible for appointment as Pharmacist. Respondent no. 3-the Board

had invited application by virtue of advertisement dated 19.10.2024 for recruitment to the post of Pharmacist. For a long, the respondent no. 1-State as well as respondent no. 3-the Board had not made any recruitment and in that process, the petitioner had become overage by thirteen days only.

4. Petitioner sought relaxation of the age from the State Government. She filed representation, but, they were not considered, therefore, the petitioner and other similarly situated other persons did file Writ Petition (S/S) No. 2090 of 2024, Shailendra Prasad Nautiyal and Others Vs. State of Uttarakhand and Others (for short 'the first petition'), which was decided by the Court on 07.10.2025 giving liberty to the petitioners and others to make a representation to the Secretary, Medical Education with further direction for its decision within three months.

5. The petitioner did make representation, but, it was rejected by the impugned order dated 11.12.2025 passed by the respondent no. 2-Department of Medical Education.

6. Learned counsel for the petitioner would submit that petitioner has become overage by thirteen days only because of the inaction on the part of the respondent no. 1-State Government as a recruitment process was not carried out every year. He submits that the

representation has been rejected on the ground that if such a representation is allowed, there would be flood of such applications. He further submits that this may not be a genuine ground, therefore, the Court should relax thirteen days so that the petitioner may become eligible for appointment to the position of Pharmacist pursuant to the advertisement dated 19.10.2024 issued by respondent no. 3-the Board.

7. Learned State Counsel submits that the posts were created in the year 2022. He further submits that there are no reasonable grounds for giving age relaxation to the petitioner.

8. What is being sought is relaxation in age so as to become eligible for applying to the position of Pharmacist pursuant to the advertisement dated 19.10.2024 issued by respondent no. 3-the Board. What should be the age of the candidate for a particular post, it is within the domain of the employer. The Court may not make interference in such matters. In fact, the petitioner did file a first petition seeking directions to the respondents so as to relax the age. In the first writ petition, petitioners were given liberty to approach the State Government by making a representation, which they did and it has been rejected. It is admitted that as per the service rules applicable in the State of Uttarakhand, the maximum age

for the position is 42 years.

9. In view of these circumstances, we do not see any reason to make any indulgence in this writ petition and it stands dismissed at the stage of admission itself.

(Alok Mahra, J.)

(Ravindra Maithani, J.)

07.01.2026

Ujjwal