



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Service Bench No. 18 of 2024

07 August, 2026

Dr. Ugrasen Prasad Singh

--Petitioner

Versus

State Of Uttarakhand and Others

--Respondents

Presence:

Mr. Rajesh S. Nagarkoti, learned counsel for petitioner.

Mr. K.N. Joshi, learned D.A.G. for the State of Uttarakhand/respondents.

**Coram: Hon'ble Manoj Kumar Tiwari, J. (Oral)
Hon'ble Pankaj Purohit, J.**

Petitioner retired from the post of Casualty Medical Officer from Government Medical College, Haldwani, District Nainital, upon completing 60 years of age on 30.11.2016.

2. Petitioner approached Public Service Tribunal by filing Claim Petition No.63/NB/DB/2019 challenging the order, whereby, he was retired at the age of 60 years. Learned Tribunal disposed of his Claim Petition vide order dated 27.10.2021, by directing Principal of the concerned Medical College to consider and decide the representation submitted by the petitioner.

3. In terms of the directions issued by learned Tribunal, Principal considered and rejected petitioner's representation vide order dated 24.11.2021. In this writ petition, petitioner has challenged the said order.

4. Learned counsel for petitioner contends that post of Casualty Medical Officer was created vide order dated 21.09.2015 and by the same order, different teaching positions for Government Medical College,



Haldwani, were created, therefore, it presupposes that the post of Casualty Medical Officer is a teaching post.

5. It is further contended that petitioner was initially engaged in the Medical College on contract as Tutor/Demonstrator w.e.f. 15.09.2003 and he served in that capacity till 05.03.2007, and thereafter, his services were regularized on the post of Casualty Medical Officer.

6. Learned State Counsel however disputes this contention and submitted that petitioner was appointed as Casualty Medical Officer by open selection and not by regularization.

7. Learned counsel for petitioner further contends that it is not a case where a Medical Officer is transferred from a Government Hospital or Primary Health Centre to a Government Medical College, but petitioner started his career from Medical College and he retired from the same College, therefore, he cannot be treated as not holding a teaching position.

8. Learned State Counsel however submits that Medical Council of India increased the age of superannuation only in respect of holders of teaching positions in Medical Colleges, however, benefit of increased age is not available to petitioner for the simple reason that he never held a teaching position. He further submits that petitioner was never assigned any teaching function and he discharged duty only in the Emergency Wing of the Medical College. Thus, he submits that since petitioner never served as Teacher in the Medical College, therefore, the benefit of decision taken by Medical Council of India is not available to him.

9. We have perused order passed by Principal of



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the Medical College on 24.11.2021. In that order, Principal held that the position held by petitioner till his retirement was not classified as Teacher. We do not find any reason to interfere with the impugned order. Learned counsel for petitioner could not show any statutory provision, including the instructions issued by Medical Council of India (Now National Medical Commission), which may support his case that Casualty Medical Officer is also entitled to continue in service till 65 years of age. Thus, there is no scope for interference.

10. Accordingly, the writ petition fails and is dismissed.

11. Pending applications also stand disposed of.

(Pankaj Purohit, J.)

(Manoj Kumar Tiwari, J.)

07.08.2026

PN/-

PREETI

NEGI

Digitally signed by Preeti Negi, DN: cn=Preeti Negi, o=UK High Court, email=preeti.negi@ukhc.gov.in, c=IN