



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA
AND

THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY

Writ Petition (S/B) No.34 of 2025

13th May, 2026

Shiv Mohan Shukla

-----Petitioner

Versus

State of Uttarakhand and Another

----Respondents

Presence:-

Mr. Vinoda Nand Barthwal, learned counsel for the petitioner.

Mr. B.P.S. Mer, learned Standing Counsel for the State of Uttarakhand.

JUDGMENT : (per Mr. Manoj Kumar Gupta C. J.)

1. Heard learned counsel for the parties.
2. The present writ petition has been filed with the following prayers:

"i) Issue a writ, order or direction in the nature of mandamus, commanding and directing the Respondents to forthwith issue promotion orders of the petitioner promoting him from the date of his eligibility from the due date for the post of Additional director medical from dated 21.09.2022.

ii) Issue a writ, order or direction in the nature of mandamus, commanding and directing the Respondents to reconsider the process of promotion on the post of Additional director medical and to hold DPC for review in the light of as challenged in the ANNEXURE no. 2 to this writ petition.

iii) Issue a writ, order or direction in the nature of mandamus, commanding and directing the Respondent no. 1 to take a time bound and a reasoned decision upon the representations of the petitioner and to pass a reasoned and speaking order within the shortest time frame considering the date of superannuation of the petitioner.

iv) Issue a writ, order or direction in the nature of mandamus, commanding and directing the Respondents with in a time bound to give all consequential benefits including promotions and positions on the basis of such seniority list."



3. Learned counsel for the petitioner states that during pendency of the writ petition, the petitioner has been granted promotion and, accordingly, he has filed amendment application for deleting the original prayer and for substituting the prayer clause as follows:

“i) Issue a writ, order or direction in the nature of mandamus, commanding and directing the Respondents with in a time bound to give all consequential benefits from dated 21.09.2022 assuming the date of promotion on the post of Additional director and position on the basis of such seniority list.”

4. In our considered opinion, in case promotion has already been granted to the petitioner, the petitioner may represent in respect of grant of consequential benefits and fixation of seniority.

5. Accordingly, the writ petition is disposed of with liberty to the writ petitioner to make representation in this regard and, in the event any such representation is made, the concerned respondents shall decide the same in accordance with law.

6. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 13.05.2026
SS

SUKHBA
NT SINGH

Digitally signed by SUKHBANT SINGH
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