



2026:UHC:1059-DB

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

Writ Petition (S/B) No.74 of 2026

February 18, 2026

Dr. Ajit Kumar Sharma

---Petitioner

Versus

Union of India & Others

---Respondents

Presence:-

Mr. Sandeep Kothari, learned counsel for the petitioner

Mr. Manoj Kumar, learned Standing Counsel for the Union of India-
respondent no.1

Ms. Anjali Bhargava, learned Standing Counsel for UGC-respondent
no.2

Dr. Kartikey Hari Gupta, learned counsel for HNB Garhwal University-
respondent no.3

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

1. The petitioner is presently working as Project Officer in Department of History, Ancient Indian History, Culture and Archaeology, Hemwanti Nandan Bahuguna Garhwal University (respondent no.3 herein). The present petition has been filed assailing the Circular dated 15.06.2024 issued by respondent no.3 under signatures of the Registrar, stipulating that non-teaching staff defined in the said Circular, which also includes Project Officer, the post on which the petitioner is working, shall be allotted



duties/work strictly as per the job responsibilities of the post held by the concerned staff. It is also stated that no documents/certificates regarding the nature of duties/work experience shall be issued to the non-teaching staff which may show them as Teaching Staff as it may give rise to administrative and legal complications.

2. The amended Circular dated 11.11.2025, issued in continuation of the previous circular, is also under challenge in the present petition. Said amended circular dated 11.11.2025 also *inter-alia* stipulates that no authority of the University shall issue any document/certificate of work experience reflecting such non-teaching staff as teaching staff and in case any certificate is issued in violation of the direction, the concerned signing person shall be held responsible. In pursuance of above Circulars, by communication dated 14.11.2025, issued by Professor and Head, Department of History, Ancient Indian History, Culture and Archeology, the petitioner was informed that teaching work allotted to him is withdrawn with immediate effect. The said communication dated 14.11.2025 is also under challenge in the present petition.

3. The case of the petitioner is that the Executive Council of the University in the 9th Meeting held on 01.03.2020 resolved to convert the posts of Research Officer/Senior Scientific Officer and Project Officer into



Assistant Professor in respective subjects/departments. The same was forwarded to the UGC on 17.03.2020 for its consideration. The UGC approved the same in its 552nd meeting held on 08.09.2021. The UGC thereafter forwarded its decision for consideration and approval by the Central Government. The matter is stated to be pending before the Central Government. Based on the aforesaid facts, it is contended that when the matter is pending before the Central Government, the University should not have withdrawn the teaching work from the petitioner.

4. Learned counsel for the petitioner also submits that Central Government be directed to take decision, on the basis of proposal submitted to it by UGC, within a fixed time-frame, inasmuch as, the petitioner, if treated to be a non-teaching staff, would retire in October, 2026 at the age of 60 years, while if he is conferred the status of teaching staff, age of retirement would be 65.

5. It is not disputed before us that as on date the post of Project Officer in the University falls in the category of non-teaching staff. Therefore, merely on basis of the recommendation made by the Executive Council of the University, the petitioner cannot claim any right to be assigned teaching work. However, we find force in the submission that, since the recommendation has also been made by UGC on the proposal of the University, for



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conferring the status of Assistant Professor to persons holding the post of Project Officer, the Central Government should take final decision in the matter within a fixed time frame.

6. Accordingly, without expressing any opinion on merits, the writ petition is disposed of with direction to the Central Government to take final decision in pursuance of the recommendation made by UGC in its 552nd meeting held on 08.09.2021 and in respect of which the Government itself had sought certain clarifications vide letter dated 30.01.2023, within a period of three months from today.

7. Learned counsel for the Central Government Shri Manoj Kumar shall communicate the instant order to the Central Government within a week, for necessary compliance.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 18.02.2026
Rajni