



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

Special Appeal No.42 of 2026

February 27, 2026

Saheel Ahmad & Others

---Appellants

Versus

Uttarakhand Krishi Utpadan Vipdan Board
& Others

---Respondents

Presence:-

Mr. D.S. Patni and Mr. T.A. Khan, learned Senior Counsel assisted by Mr. Mr. Himanshu Yadav and Mr. Mohd. Shafy, learned counsel for appellants

Mr. Vipul Sharma, learned counsel for respondent nos.1, 2 and 24 and 25

Mr. Shobhit Saharia, learned counsel for private respondents

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

1. Heard learned counsel for the parties.

2. The present intra-court appeal is directed against the order of learned Single Judge dated 12.02.2026 passed in WPSS No.239 of 2026, whereby the writ petition filed by the appellants challenging the order dated 15.01.2026 passed by Managing Director, State Krishi Utpadan Vipdan Board, Rudrapur, Udham Singh Nagar has been dismissed as premature. The



order impugned in the writ petition examines certain issues and thereafter directs for publication of a provisional seniority list within one week.

3. Learned Single Judge has observed that, since the effect of the order impugned in the writ petition is that a provisional seniority list would be published, the appellants have right to file objections against the same. It has further been observed that, in case any objections are filed, the competent authority shall consider all objections and thereafter finalize the seniority list as per law.

4. Learned Senior Counsel appearing on behalf of the appellants submit that the impugned order alters the settled seniority list and, therefore, seriously affects the appellants.

5. It is not disputed before us that although certain aspects have been considered while passing the order dated 15.01.2026 but, at the same time, the operative part of the order directs publication of provisional seniority list, meaning thereby, that it shall still be open to any person aggrieved by the provisional seniority list to file objections, as such we do not find



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any illegality in the order of learned Single Judge in declining to examine the challenge at this stage.

6. As apprehension has been expressed by learned Senior Counsel appearing for the appellants that because of certain observations made in the order of the Managing Director dated 15.01.2026, which was under challenge in the writ petition, the concerned respondent would be influenced while deciding the objections, we clarify that, in the event, any objection is filed against the provisional seniority list, the same shall be decided on its own merit, without being influenced by any observations made in the order dated 15.01.2026.

7. With the above observation and clarification, the appeal stands disposed of.

8. Pending applications, if any, also stand disposed of.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 27.02.2026
Rajni

**RAJINI
GUSAIN**

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