



2026:UHC:1407-DB

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI MANOJ KUMAR GUPTA
AND

HON'BLE SRI JUSTICE SUBHASH UPADHYAY

27TH FEBRUARY, 2026

WRIT PETITION (S/ B) No. 92 2026

Dr. Ankit Kumar

...Petitioner.

Versus

State of Uttarakhand and others.

..Respondents

Counsel for the petitioner : Sri Vipul Sharma, learned counsel.

Counsel for the respondents : Sri Amarendra Pratap Singh, learned
Additional Advocate General with Sri
Gajendra Tripathi, learned Standing
Counsel for the State of Uttarakhand.

JUDGMENT : (Per Sri Manoj Kumar Gupta, C.J.)

1. The petitioner is a Paediatrician working at District Hospital, Bageshwar. He is aggrieved by the Office Order dated 22.09.2025, issued by Secretary, Medical Health and Medical Education, Anubhag-1, Dehradun directing the Director General, Medical Health to initiate steps for recording an adverse entry against the petitioner on basis of certain incident, in which he is stated to have acted negligently. The Director General, Medical Health and Family Welfare, Uttarakhand, Dehradun has forwarded the copy of the Office Order dated 22.09.2025 to various authorities, including Chief Medical Officer, District Hospital, Bageshwar for doing the needful. The said communication is also under challenge.



2. Learned Additional Advocate General for the State of Uttarakhand submits that the petitioner has remedy of filing representation against the recommendation for recording of adverse entry to Chief Secretary, who is one rank above the accepting authority, who, in the instant case, is the Secretary, who issued the Office Order dated 22.09.2025.

3. Learned counsel for the petitioner tried to contend that since the proceedings for recording adverse entry are being taken on basis of the directions issued by the Secretary and, therefore, filing of representation would not serve any purpose.

4. Rule 4(2) of the Uttaranchal Government Servants (Disposal Of Representation Against Adverse Annual Confidential Reports And Allied Matters) Rules, 2002 provides for filing of representation to the authority one rank above the accepting authority. As Chief Secretary would be an officer higher than the Secretary of the concerned Department, who issued the impugned direction, therefore, we permit the petitioner to make representation before the Chief Secretary and in the event any such representation is made by the petitioner within one week from today, along with true attested copy of the instant order, the same will be considered and decided by the Chief Secretary within next two weeks.

5. The impugned order dated 22.09.2025 and the consequential communication dated 06.10.2025 or any other action taken in pursuance of the aforesaid order / communication



shall be subject to the decision that would be taken by the Chief Secretary on the representation of the petitioner.

- 6. The writ petition stands disposed of accordingly.
- 7. Pending application, if any, also stands disposed of accordingly.

MANOJ KUMAR GUPTA, C.J.

SUBHASH UPADHYAY, J.

Dt: 27th February, 2026
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Digitally signed by PRAVINDRA SINGH RATHOUR
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ou=HIGH COURT OF JUDICATURE,
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