



2026:UHC:4820

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Service Single No. 342 of 2024

15 June, 2026

Yogendra Kumar and Others

--Petitioners

Versus

State Of Uttarakhand and Others

--Respondents

Presence:-

Mr. M.C. Pant, learned counsel for petitioners.

Mr. Pradeep Hairiya, learned Additional C.S.C. for the State of Uttarakhand/respondents.

Hon'ble Pankaj Purohit, J. (Oral)

Delay in filing the counter affidavits is condoned. Delay Condonation Applications (IA Nos.2 and 3 of 2024) are allowed. Counter affidavits are taken on record.

2. By means of the present writ petition, petitioners have sought the following reliefs:-

- I. Issue writ rule or direction in the nature of certiorarified mandamus by directing the respondents that by treating the petitioners as contractual employees and also not granting them status of regular employees is arbitrary, irrational, contrary to the law and discriminating and to quash the same by declaring the term used in the appointment letter as contractual is sham, act of unfair labour practices and void along with its effect and operation also after calling the entire record from the respondents or to mold the relief appropriately by safeguarding the interests of the petitioners keeping in view the facts highlighted in the body of the petition.
- II. Issue appropriate writ rule or direction in the nature of mandamus by directing the state respondents to frame scheme for regularization and absorption of the petitioners against the vacant post of Asst. Statistical Officer in the Rural Development Department with all consequential benefits and within a timeframe specifically within a period of 2 months or such time limit prescribed by the Hon'ble Court sop the grievances of the petitioners can be redressed.



3. The brief facts of the case are that Government of India enacted the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) in 2005 and for the effective enforcement of the provisions of said Act, directives were issued to all State Governments and State Government made a nodal agency and also identified the posts and positions for implementation of the Scheme under the Said Act at State Level, District Level as well as the Block and Village Level. Petitioners appointed as Deputy Program Officer under the said Scheme. They are being paid currently Rs.33771 with 5% increment every year on consolidate basis. The Project Coordinator, State MGNREGA, Rural Development Department on 26.09.2019 made a request to Additional Commissioner, Rural Development Department to grant grade pay of Rs.1900 to the rural employment servants and also referred the example of Himachal Pradesh and mentioned that the Junior Engineers were merged in the Panchayati Raj institutions and these junior engineers used to look after the work of MGNREGA in addition to panchayat work. Petitioners made several representations for their regularization in the rural development department to Hon'ble Minister and the said proposal was directed to Principal Secretary, Rural Development Department to put up for cabinet for regularization. Petitioners are discharging their duties at par to Computer Programmers who had been merged as Assistant Statistical Programmers in the Rural Development Department. Thus, petitioners are before this Court for regularization of their services.

4. Learned counsel for petitioners submits that petitioners are working continuously as Deputy Program



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Officer since their joining and their services are extended by District Magistrate year to year on artificial break of 1 or 2 days, which is exploitation on the statute.

5. After arguing a while, learned counsel for petitioners made an innocuous prayer to permit the petitioners to move representation for redressal of their grievances to respondent No.1 within 10 days and thereafter issuance of direction to respondent No.1 to take a decision on the same within a time bound manner.

6. Learned State Counsel has no objection if such a direction be issued.

7. In view of the above, the writ petition is disposed of. Petitioners are directed to move fresh representation separately to respondent No.1 within 10 days from today. If petitioners move such representation, respondent No.1 shall take a decision on the same within three months thereafter, in accordance with law.

8. Pending application(s), if any, stands disposed of.

(Pankaj Purohit, J.)

15.06.2026

PN