



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Service Single No. 992 of 2019

12 August, 2026

Kautsa Kumar
2: Mohini
3: Subhash Pal
4: Kishori Lal
5: Amit Negi
6: Ajay Pal

--Petitioners

Versus

State Of Uttarakhand
2: Director Technical Education Uttarakhand Pauri
Garhwal
3: Principal Govt. Polytechnic Kashipur District U S
Nagar
4: Principal Govt. Polytechnic Shaktifarm
District U. S. Nagar
5: Principal Govt. Polytechnic Gauchar District Chamoli
6: Principal Govt. Polytechnic Gaja District Tehri Gahrwal
7: Principal Govt. Polytechnic Uttarkashi District
Uttarkashi

--Respondents

Presence:-

Mr. Sanjay Bhatt, learned counsel for the petitioner No.1.
Mr. S.S. Chaudhary, learned Standing Counsel for the State.

Hon'ble Pankaj Purohit, J.

Rejoinder affidavit filed on behalf of petitioner no.1 is taken on record. Misc. Application (IA No.15120 of 2026) stands disposed of.

2. Earlier the writ petition was filed by the six petitioners. Petitioner no.5 has withdrawn the writ petition, while none is appearing for the petitioner no.2 to 4 and 6. Only petitioner no.1 is pressing the present writ



petition. The writ petition is therefore dismissed for non-prosecution so far as it relates to the petitioner no.2 to 4 and 6.

3. Learned counsel for petitioner submits that petitioner was initially engaged as a Computer Programmer on contractual basis in the Government Polytechnic, Shaktifarm, District Udham Singh Nagar, on 11.02.2014. The advertisement was issued and the petitioner responded to the advertisement; a high power Selection Committee was constituted and on the recommendation of the said committee, the petitioner was selected and was given engagement as a contractual Computer Programmer with the aforesaid Government Polytechnic. The period of contractual appointment of the petitioner was extended time to time. Suddenly in September 2018, petitioner was asked by the Principal of Government Polytechnic not to come to his duties vide oral order.

4. Feeling aggrieved the petitioner filed the present writ petition for the following reliefs-

- (i) Issue a writ, order or direction in the nature of Mandamus restraining the respondents from disengaging the services of the petitioners from the post of Workshop Instructor in the respective Govt. Polytechnics of the State inasmuch as there is no direction from the higher authorities to discontinue/disengage the services of the petitioners.
- (ii) Issue a writ, order or direction in the nature of Mandamus directing the respondents to permit the petitioners to work as Workshop Instructor in the respective Govt. Polytechnics of the State till the regular selection are made on the said post.

5. The several writ petitions have been filed before this Court by the Instructor/Computer Programmer/Workshop Instructor/Lecturer, all were Contractual employees, who were met out the same treatment. Those writ petitions have been disposed of by the Coordinate



Bench of this Court vide order dated 17.10.2024 in WPSB No.281 of 2019 *Himani Sah and others vs. State of Uttarakhand and others*, and batch.

6. Learned counsel for the petitioner has annexed the said judgment dated 17.10.2024 by way of filing the rejoinder affidavit. Para 6 of the judgment of *Himani Sah* (Supra) is quoted below:-

“6. Mr. C.S. Rawat, learned Chief Standing Counsel for the State of Uttarakhand, submits that all the petitioners, who had approached the Competent Authority in Technical Education Department by making a representation, have been restored back in employment, subject to availability of vacancies through outsourcing. Further, on instructions, he makes a statement that all the petitioners, and also the interveners, who have been offered engagement through outsourcing, in terms of the order of this Court, shall be considered for regularisation as per the applicable Rules, by treating their status to be that of a contract employee, and they will not be subjected to any disqualification only on the ground that the nomenclature given to them was through outsourcing. He further makes a statement at the bar that all persons, including the petitioners, who have been engaged through outsourcing pursuant to the order of this Court, shall be permitted to continue as lecturer/instructor till joining of regularly selected candidates; he further submits that the claim of all these persons for regularisation shall be considered in terms of the applicable Recruitment Rules in vogue at the date of their initial appointment in the department, and their eligibility shall be judged accordingly.”

7. The petitioners in aforesaid writ petitions have been taken back by the State Government through outsourcing agencies on the representation given by the petitioners and the petitioners were permitted to continue till regularly selected candidates join and the regularization of the petitioners shall be considered in accordance with law prevailing at the time of their initial engagement/appointment in the department and their eligibility will be seen accordingly.



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8. Learned counsel for the petitioner wants same relief to be extended to the petitioner.

9. Accordingly, the writ petition is allowed in terms of the judgment and order dated 17.10.2024 in WPSB No. 281 of 2019 *Himani Sah and others vs. State of Uttarakhand and others*, and batch. The petitioner-Kautsa Kumar S/o Roshal Lal shall file a representation to the respondent no. 2-Director, Technical Education within 10 days from today and if the representation is filed by the petitioner within 10 days from today, he shall be extended the benefit of the judgment rendered by this Court in WPSB No. 281 of 2019 and Batch.

10. Pending application, if any, stands disposed of.

(Pankaj Purohit, J.)

12.08.2026

Nahid

NAHEED
PRAVEEN