



2026:UHC:3193-DB

HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

28th April, 2026

Writ Petition (S/B) No. 247 of 2026

Dr. Jitendra Kumar Lohani

-----Petitioner

Versus

State of Uttarakhand & another

-----Respondents

Presence:-

Mr. Bhagwat Mehra, learned counsel for the petitioner.

Mr. Yogesh Chandra Tiwari, learned Standing Counsel for the State.

Mr. Satyendra Lingwal, learned counsel for respondent no.2.

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

1. Heard Mr. Bhagwat Mehra, learned counsel for the petitioner, learned counsel for the State and Mr. S. S. Lingwal, learned counsel for the respondent no. 2/Kumaon University.

2. The present petition has been filed for the following reliefs:

“(1) To issue a writ order or direction in the nature of mandamus declaring the action of the respondents in the matter in not regularizing the services of the petitioner despite serving on contract basis for a period of about 16 years, after due selection, as arbitrary and illegal.

(ii) To issue a writ order or direction in the nature of certiorari to call for the record and for quashing the impugned Notification/Advertisement dated 13.04.2026 issued by respondent no.2 (annexure no.1 to this writ petition) (page no. 19 to 27) in so



far as it relates to 01 post of Assistant Professor (Economics), on which the petitioner is working for the last about 16 years on contract basis, after due selection.

- (iii) To issue a writ order or direction in the nature of mandamus commanding the respondents to consider and regularize the services of the petitioner on the post of Assistant Professor (Economics), Kumaon University, Nainital.
- (iv) To issue a writ order or direction in the nature of mandamus commanding the respondent no.1 and 2 to grant all consequential benefits.”

3. The case of the petitioner is that he has been working as Assistant Professor (Economics) on contractual basis in the Kumaon University in pursuance of appointment order dated 21.10.2010 in D.S.B. Campus, Nainital. He is claiming the right to be regularized in accordance with the Regularization Rules notified on 05.12.20025 (*Daily Wage, Work Charged, Contract, Fixed Pay, Part-time and Ad-hoc Employees Regularization (Amendment), Rules 2015*).

4. Learned counsel for the parties have made joint submission that the present petition is identical to the facts of Writ Petition (S/B) No. 220 of 2026, which has been disposed of vide order dated 22nd April, 2026 by this Court in following terms:

“9. Since admittedly till date the claim has not been considered as per Notification dated 05.12.2025,



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therefore, we dispose of the writ petition with direction to the respondents to accord consideration to the claim of the petitioner under the said Notification dated 05.12.2025 within four weeks from filing of a fresh representation along with true attested copy of the instant order before the respondent University. The representation shall be filed positively within two weeks from today, failing which the above direction would be of no avail.

10. In the meantime, in case, any appointment is made in pursuance of the impugned advertisement against the post of Assistant Professor (Commerce), the same shall be subject to decision on the representation of the petitioner to be taken in pursuance of the instant order. The said fact shall also be clearly mentioned in the appointment order, if any, issued in favour of any person in pursuance of the impugned advertisement”

5. Learned counsel for the parties submit that the instant petition may also be disposed of in the same terms.

6. Having regard to the facts of the case and the submissions made, the present petition is disposed of in terms of the directions issued, as stated above in Writ Petition (S/B) No. 220 of 2026.

7. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 28.04.2026
Kaushal



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