



2026:UHC:4691-DB

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPSB/270/2024</u> <u>Hon'ble Manoj Kumar Tiwari, J.</u> <u>Hon'ble Pankaj Purohit, J.</u> 1. Ms. Priyanka Agrawal, learned counsel for the petitioner. 2. Mr. Rajeev Singh Bisht, learned Additional C.S.C. for the State of Uttarakhand. 3. Petitioner is serving as Chief Administrative Officer in Department of Ayurvedic and Unani Services. He has challenged Government Order dated 26.03.2024 and consequential order passed by Director, Ayurvedic and Unani Services on 24.04.2024. 4. By the Government Order dated 26.03.2024, cadre of ministerial employees serving in Directorate and at the field level was unified in terms of Statutory Rules notified on 15.03.2022, which are known as "उत्तराखण्ड आयुर्वेदिक एवं यूनानी सेवायें विभाग (निदेशालय एवं अधीनस्थ कार्यालय) लिपिक वर्गीय सेवा के कार्मिकों का एकीकरण नियमावली, 2021". The Director thereafter passed consequential order dated 24.04.2024, whereby ministerial posts were allotted to different Offices. 5. Learned State Counsel has produced in Court the aforesaid Rules. Perusal of Appendix-A to the said Rules indicates that earlier there were only four sanctioned posts of Chief Administrative Officer, one for the Directorate and three posts for Subordinate Offices, but after unification, the number of sanctioned



			post of Chief Administrative Officer were increased to five. 6. Learned State Counsel points out that after unification, ministerial posts were allotted to different Districts, depending upon the number of Ayurvedic Hospitals, situate there. He submits that after unification, five posts of Chief Administrative Officer, were sanctioned, out of which one was allotted to Directorate and other four posts were allotted to four different districts, where maximum number of Ayurvedic Hospitals were situate. He thus submits that the posts, against which petitioner was serving at Dehradun, was allotted to District Chamoli. He submits that since restructuring of posts is an executive function and the State Government has taken a decision to streamline the administration in the Department, therefore, petitioner cannot have any grievance against restructuring. 7. We find substance in the submission made by learned State Counsel. Since no prejudice is caused to the petitioner by restructuring; he was promoted as Chief Administrative Officer, which is a highest position in ministerial cadre, and his status has not been adversely affected and he continuous to hold the post of Chief Administrative Officer. 8. The only grievance petitioner has raised is that he has been transferred from Dehradun to Chamoli along with post, which could not have been done, as petitioner has served at <i>Durgam</i> place for maximum period of time, therefore, he is entitled to be posted at <i>Sugam</i> place. It is further contended that petitioner has crossed the age limit of 55
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years, therefore, he cannot be transferred at this stage.

9. This Court is not impressed by submission made by learned counsel for the petitioner. This Court does not find any reason to interfere with the restructuring or unification of post, which was done by the State Government pursuant to the statutory Rules. However, the writ petition is disposed of with liberty to petitioner to make representation, regarding his transfer, to the Competent Authority. If he makes representation within one week from today, decision thereupon shall be taken within four weeks thereafter. For a period of five weeks or till decision is taken, whichever is earlier, *status quo qua* petitioner's posting shall be maintained.

(Pankaj Purohit, J.) (Manoj Kumar Tiwari, J.)

11.06.2026

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