IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY

Special Appeal No.178 of 2026

19th June, 2026

Roop Singh Bothiyal -----Appellant

Versus

State of Uttarakhand and Another ----Respondents

Presence:-

Mr. Abhijay Negi, learned counsel for the appellant.

Mr. J.C. Pandey, learned Standing Counsel for the State of Uttarakhand.

ORDER:

1. In pursuance of order of learned Single Judge dated 18.04.2026 in the writ petition filed by the appellant, the respondents have decided his representation and have rejected his claim for promotion.

2. Shri Abhijay Negi, learned counsel for the appellant seeks permission to withdraw the appeal and to challenge the order dated 19.05.2026 passed on his representation in independent proceedings. He submits that the observation made by the learned Single Judge while directing the respondents to decide his representation may not be taken to be final or be read against the appellant.

3. Having regard to the fact that the representation has already been decided, we permit the appellant to withdraw the appeal and to challenge the said order in independent proceedings.

4. In case any challenge is made to the order dated 19.05.2026, the same will be examined on its own merits without being influenced by any observation made by learned Single Judge in its order dated 18.04.2026 while directing the department to decide the representation.

5. Accordingly, the appeal is dismissed as withdrawn.

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

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 19.06.2026
ss