



2026:UHC:3964-DB

**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**

**Writ Petition (S/B) No.287 of 2026**

**May 21, 2026**

Dr. Birendra Deo Singh

----Petitioner

**Versus**

State of Uttarakhand & Others

----Respondents

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**Presence:-**

Mr. Anup Kumar Verma, learned counsel for the petitioner

Mr. J.C. Pande, learned Standing Counsel and Mr. Sachin Mohan Singh, learned Brief Holder for the State/respondent no.1

Mr. C.S. Rawat and Ms. Rajni Supyal, learned counsel respondent nos.2 to 6/University

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**JUDGMENT: (per Mr. Manoj Kumar Gupta C. J.)**

1. The petitioner, feeling aggrieved by Office Order dated 07.05.2026, whereby it has been intimated that the petitioner would retire on 31.05.2026, has filed the present writ petition.

2. The initial appointment of the petitioner, vide order dated 11.07.1999, was as a Subject Matter Specialist (Agronomy). In due course of time, he was granted various promotions and presently he is holding the designation of Professor and is posted in the Directorate of Extension Education.



3. The case of the petitioner is that, by order dated 20.04.2015, age of superannuation of the teaching staff in the University was increased from 60 to 65 years. The further case of the petitioner is that he has all through been treated as a teaching staff and promotion on the post of Professor was granted to him because he was treated as member of a teaching staff. However, by impugned order dated 04.07.2023 passed by the State Government, it has been held that the employees other than teachers, would retire at the age of 60 years.

4. The submission of learned counsel for the petitioner is that, in identical facts and circumstances, in case of Dr. Vinod Kumar, who was initially appointed as Senior Statistician/Senior Research Officer, Statistics (General Budge), the University sought to retire him at the age of 60 years treating him to be member of non-teaching staff. It was subjected to challenge by him by way of Writ Petition (S/B) No.350/2023 and the said writ petition was allowed by a Coordinate Bench by judgment dated 14.03.2024. The State Government has already complied with the said judgment and has permitted Dr. Vinod Kumar to continue in service treating his age of superannuation as 65 years. It is submitted that following



the said judgment, another writ petition bearing no. WPSB No.275/2024 "*Ramji Maurya vs. State of Uttarakhand & Others*", filed by Ramji Maurya, who was also initially appointed as Subject Matter Specialist (Agronomy) in the Directorate of Extension Education, was disposed of by another Coordinate Bench vide order dated 10.12.2025, in terms of order and judgment in the case of Dr. Vinod Kumar and in the said case also the order of this Court has been complied with.

5. Shri C.S. Rawat, learned counsel appearing for the University does not dispute the above factual position. He admits that the petitioners of the aforesaid cases have been permitted to continue in service treating their age of superannuation as 65 years. He further admits that the University has not challenged the aforesaid orders.

6. Learned Standing Counsel appearing for the State, on the other hand, submits that the State Government has challenged the judgment of Coordinate Bench in the case of Dr. Vinod Kumar (supra) before the Hon'ble Supreme Court and the SLP is pending. He, however, does not dispute that there is no interim order in the said case and the order of the Coordinate Bench in the



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case of Dr. Vinod Kumar (supra) as well as in the case of Ramji Maurya (supra) have been duly complied with.

7. In view of the aforesaid undisputed factual position, we dispose of the present writ petition also in terms of the judgment and order dated 14.03.2024 passed in WPSB No.350/2023 "*Dr. Vinod Kumar vs. Secretary, Department of Agriculture and Farmers Welfare, Government of Uttarakhand, Dehradun & Others*" and connected petitions.

**(MANOJ KUMAR GUPTA, C. J.)**

**(SUBHASH UPADHYAY, J.)**

Dated: 21.05.2026

Rajni