



2026:UHC:4215-DB

HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

27st May, 2026

Writ Petition (S/B) No. 299 of 2026

Dr. Jitendra Kwatra

-----Petitioner

Versus

State of Uttarakhand and others

-----Respondents

Presence:-

Mr. Anil K. Bisht, learned counsel for the petitioner.

Mr. S.M.S. Mehta, learned Standing Counsel for the State/respondent no.1.

Ms. Rajni Supyal, learned counsel holding brief of Mr. C.S. Rawat, learned counsel for the respondent nos.2 to 5.

JUDGMENT: (per 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 30.06.2026, has filed the present writ petition.

2. The initial appointment of the petitioner, vide order dated 21.12.2004, was as a Training Organizer/Associate Professor/Associate Director. In due course of time, he was granted various promotions and presently he is holding the designation of Professor Extension Education and is posted in the Krishi Vigyan Kendra, Kashipur.

3. The case of the petitioner is that, by order



dated 20.09.2013, 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 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 University 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.669 of 2024 filed by Dr. Yogendra Pal who was also initially appointed as Training Associate/ SMS/ Assistant Professor in the Krishi Vigyan Kendra Cahubatia was disposed of by another Coordinate Bench vide order dated 17.10.2024, in terms of order and judgment in the case of Dr. Anuradha Dutta in WPSB No.333 of 2023 and in the said case also the order of this Court has been complied with.

5. Ms. Rajni Supyal, learned counsel appearing for the University does not dispute the above factual position. She admits that the petitioner of the aforesaid cases have been permitted to continue in service treating their age of superannuation as 65 years. She 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 case of Dr. Vinod Kumar



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(*supra*) as well as in the case of Dr. Anuradha Dutt (*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: 27.05.2026
Kaushal