



2026:UHC:4870

| SL. No. | Date | <small>Order No.<br/>Copy to be made<br/>for the Registrar<br/>of the Court and<br/>the District<br/>Judge's Office</small> | COURT'S OR JUDGE'S ORDERS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------|------|-----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         |      |                                                                                                                             | <p>WPSS No.1576 of 2026</p> <p><b><u>Hon'ble Pankaj Purohit, J.</u></b></p> <p>Mr. Prashant Khanna, learned counsel for petitioner.</p> <p>2. Mr. S.S. Chaudhary, learned S.C. for the State.</p> <p>3. Present writ petition has been filed by petitioner seeking a writ of certiorari quashing the order dated 27.05.2026 (Annexure No.6) whereby claim of petitioner for selection grade was denied. A further writ of mandamus is also sought directing respondent no.4 to grant selection pay scale/selection grade pay @Rs.4800/- from the date of her entitlement i.e. 11.02.2026.</p> <p>4. It is the case of petitioner that petitioner was initially appointed as Assistant Teacher in Primary School on 10.07.2002 and she joined on the said post on 24.07.2002. Petitioner was granted the Selection Grade on the post of Assistant Teacher, Primary School after completion of period of 10 years on 20.03.2013 w.e.f. 26.03.2012. Thereafter, petitioner was promoted on the post of Assistant Teacher, Junior High School on 09.02.2016 and joined post of Assistant Teacher in Junior High School on 11.02.2016. Thereafter, petitioner was adjusted/promoted as Assistant Teacher (L.T. Grade) (Maths) and she joined on 12.11.2020. The petitioner is entitled to get the selection grade after completion of 10 years adding the service rendered by her as Assistant Teacher, Junior High School. According to petitioner, she is entitled to get the selection grade on 11.02.2026 if the service rendered by petitioner as Assistant Teacher, Junior High School is counted.</p> <p>5. The respondents have rejected the claim of petitioner saying that the petitioner has not completed service of 10 years on the post of Assistant Teacher, L.T. (Grade), therefore, she was not entitled to get the selection grade though the order of refusal was not clear.</p> <p>6. Learned Counsel for the petitioner has relied upon various judgments passed by this Court, some of them are annexed as Annexure Nos.9 and 10 of the writ petition. The petitioner submits that the claim of petitioner is at par with the claim of those writ petitioners and</p> |

therefore, petitioner is entitled to be granted the benefit of selection grade adding the service rendered by her in Junior High School.

7. Per contra, learned State Counsel submits that the petitioner was not adjusted, rather she was promoted on the post of Assistant Teacher (L.T. Grade) vide order dated 10.11.2020.

8. Learned Counsel for petitioner submits that adjustment/promotion would not make any difference in the matter as in the case of *Deep Chandra Badhani*, the Court was dealing with the similar issue and granted selection/promotional grade after adding services rendered by petitioner of that writ petition in the junior high school/primary school. He further submits that the service of petitioner was adjusted on the same pay scale Grade Pay of Rs.4600/- as Assistant Teacher (Maths) L.T. Grade which the petitioner was already paid i.e. Grade Pay Rs.4600/- on the post of Assistant Teacher, Maths Junior High School by order dated 10.11.2019 issued by respondent no.3 and thus, there is no question of her promotion and it was an adjustment.

9. Having heard learned Counsel for the parties and having perused the record, this Court is of the view that the present case is squarely covered by the judgment of *Deep Chandra Badhani* (Supra) and other judgments annexed as Annexure No.10.

10. The writ petition is disposed of in terms of judgment and order dated 11.04.2017 passed in WPSS No.602 of 2014 *Deep Chandra Badhani v. State of Uttarakhand and others*. Impugned order dated 27.05.2026 (Annexure No.6) is hereby quashed qua the petitioner. The respondent no.4 is directed to grant selection grade to the petitioner since the date of her entitlement i.e. 11.02.2026 after calculating/adding the service rendered by petitioner on the post of Assistant Teacher, Junior High School.

**(Pankaj Purohit, J.)**  
16.06.2026