



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Service Single No.2018 of 2026

04th August, 2026

Alok Barthwal

.....Petitioner

Versus

Principal Secretary and another

.....Respondents

Presence:-

Mr. Saurabh Kumar Pandey, learned counsel for the petitioner.

Mr. Anil K. Dabral, learned Addl. C.S.C. with Mr. B.S. Koranga, learned B.H. for the State.

Hon'ble Pankaj Purohit, J.

Petitioner is working as a Computer Operator/Stenographer in the Supply Department. Petitioner is aggrieved by the Rule 5 (kha)(ii) of The Uttarakhand Food, Civil Supplies and Consumer Affairs Department (Supply Branch) Inspector Subordinate Service Rules, 2018, whereby the quota for promotion on the post of Supply Inspector has been reduced from 5% to 2%.

2. It is case of the petitioner that in Rules 5 of the earlier Rules known as The Uttarakhand Food, Civil Supplies and Consumer Affairs Department, 2005 quota for promotion to the post of Supply Inspector from Computer Operator/Stenographer was 5% and now the change in the quota of Computer Operator/Stenographer by Rules of 2018 is totally arbitrary and against the interest of the petitioner.

3. It is clear from the petition that the aforesaid new Rules of 2018 have not been challenged by the petitioner.

4. It is contended by learned counsel for the petitioner that earlier a writ petition was filed by one – Pradeep Singh, a Stenographer, with the respondent-



Department numbered as WPSS No.254 of 2022, *Pradeep Singh Vs State of Uttarakhand*, which was later on decided by Division Bench of this Court on 21.03.2024 directing the petitioner of that writ petition to approach competent authority by making a representation for increasing promotion quota so that members of the cadre do not suffer stagnation and further the competent authority was also directed to take a decision on the representation submitted by the petitioner within a period of six months thereafter.

5. Pursuant to the order passed by Division Bench of this Court dated 21.03.2024, a representation was submitted by Pradeep Singh which was decided by the Principal Secretary for the Food, Civil Supplies, and Consumer Affairs Department Section 1 vide order dated 20.02.2025, annexure no.4 to the writ petition, wherein after considering representation of the petitioner-Pradeep Singh, the representation was disposed of. Para no.6 of the said order is quoted as hereunder:-

“6.उक्तानुसार प्रकरण में विभागीय आख्या तथा प्रश्नगत प्रकरण में मा0 उच्च न्यायालय, नैनीताल द्वारा रिट याचिका संख्या (WPSS) 254/2022 में पारित आदेश दिनांक 21.03.2024 के अनुपालन में विभागान्तर्गत आशुलिपिकों का पदोन्नति कोटा 02% से बढ़ाकर 05% किये जाने के सम्बन्ध में उत्तराखण्ड खाद्य नागरिक आपूर्ति एवं उपभोक्ता मामले विभाग (आपूर्ति शाखा) पूर्ति निरीक्षक अधीनस्थ सेवा नियमावली, 2018 में संशोधन किये जाने हेतु यथा प्रक्रिया कार्मिक विभाग/वित्त विभाग/न्याय विभाग/उत्तराखण्ड लोक सेवा आयोग इत्यादि का परामर्श/सहमति प्राप्त करते हुए मा0 विभागीय मंत्री जी के अनुमोदनोपरांत मा0 मंत्रिमण्डल के समक्ष प्रस्तुत किये जाने हेतु अग्रेत्तर कार्यवाही की जा सकेगी।”

6. While disposing of the writ petition, it is informed by the respondent-Principal Secretary for the Food, Civil Supplies, and Consumer Affairs Department that pursuant to the order passed by Division Bench of this Court in WPSS No.254 of 2022, *Pradeep Singh Vs State of Uttarakhand* dated 21.03.2024, the Department is considering amendment by increasing the promotion quota of Stenographer to 2% to 5% and the amendment is



proposed and send to the Personal Department, Finance Department, Law and Justice Department and Uttarakhand Lok Seva Ayog for consideration and consent so that the matter can be placed before the Cabinet for amendment in the Rules.

7. Learned counsel for the petitioner submits that despite the order passed by Principal Secretary for the Food, Civil Supplies, and Consumer Affairs Department in the representation of Pradeep Singh, now it is learnt to the petitioner that the Department is proposing to fill up the post of Supply Inspector through 100% direct recruitment which is reflected in the G.O. 193/XIX-1/2026, Food and Civil Supply and Consumer matters Section 1 dated 09.03.2026.

8. Learned counsel for the respondent-State submits that on perusal of the said Government Order dated 09.03.2026, it is reflected that what the petitioner is apprehending is not there in the present government order rather by the said government order, the report is called from the Commissioner of the Department in light of the order passed by Division Bench of this Court in WPSS No.254 of 2022, *Pradeep Singh Vs State of Uttarakhand*. The writ petition, at this juncture, is totally misconceived and deserves to be dismissed.

9. He further submits that the challenge to Government Order by the petitioner is totally unfounded as it has been issued in the light of the order passed by Division Bench of this Court in WPSS No.254 of 2022, *Pradeep Singh Vs State of Uttarakhand*.

10. Having considered the submissions advanced by learned counsel for the parties, this Court is of the view that the writ petition is highly premature and has been filed under misconception of facts and law.



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11. The grievance of the petitioner is still under consideration with the Department as is reflected from the disposal of the representation by Pradeep Singh as well as the Government Order dated 09.03.2026.

12. Accordingly writ petition stands dismissed.

(Pankaj Purohit, J.)

04.08.2026

SK
SHUBHAM
KAPRUWAN