



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Service Single No. 2055 of 2026

11 August, 2026

Subhash Chandra

--Petitioner

Versus

State Of Uttarakhand & others

--Respondents

Presence:-

Mr. S.S. Yadav, learned counsel for the petitioner.

Mr. Sushil Vashisth, learned Standing Counsel for the State.

Hon'ble Pankaj Purohit, J.

By means of present writ petition, petitioner has sought the following reliefs:-

“(i) Issue a writ, order or direction in the nature of certiorari quashing the order dated 29.07.2026 (annexure no.4 page no.32 to the writ petition) passed by the Additional Director, School Education, Kumaon, Bhimtal, Nainital.

“(ii) Issue a writ, order or direction in the nature of mandamus directing the respondents to treat the option of the petitioner at Atal Utkrisht Government Inter College, Bhujan District Almora as nullified (disown).”

2. It is the case of the petitioner that he was appointed as Assistant Teacher (LT Grade) on 22.07.2021 and, pursuant to the screening examination, was posted at Atal Utkrisht Government Inter College, Tarikhet, District Almora on 06.06.2024 for a tenure of five years. Petitioner again appeared in the 2025 screening examination and, during counselling, opted for Atal Utkrisht Government Inter College, Bhujan, District Almora. Subsequently, he requested permission to continue at Tarikhet on account of family difficulties and submitted a representation dated 30.07.2026.



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Respondent no.6, who had also participated in the 2025 screening examination, opted for the Tarikhet institution. Thereafter, vide order dated 29.07.2026, the Additional Director, School Education, Kumaon, directed the petitioner to be relieved from Tarikhet and join the institution at Bhujan. Aggrieved by the said order, petitioner has challenged the same, claiming his right to continue at Tarikhet for the prescribed five-year tenure.

3. Learned counsel for the petitioner submits that petitioner has hardly completed two years service in the present college and he is not aware about the topography of hill so he was unable to analyze at the time of giving the option. He further submits that as per the Uttarakhand Annual Transfer for Public Servants Act, 2017, it provides mandatory service in one place of about three years but now, petitioner has spent only two years in the present place of working, so he cannot be compel to relieve.

4. Learned State Counsel supplied instructions dated 10.08.2026 to this Court, which are taken on record. On the basis of the instructions, he submits that petitioner had voluntarily opted for Atal Utkrisht Government Inter College, Bhujan, during the 2025 counselling and, therefore, cannot subsequently seek continuation at Tarikhet. Furthermore, respondent no.6 had opted for Atal Utkrisht Government Inter College, Tarikhet, and the allotments were made accordingly. Thus, there is no illegality or arbitrariness in the impugned order dated 29.07.2026.

5. Heard learned counsel for the parties and perusal of the material available on record, this Court



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finds that the petitioner, with full knowledge and understanding, had voluntarily participated in the 2025 screening examination and, during counselling, had opted for Atal Utkrisht Government Inter College, Bhujan, District Almora. The allotment was accordingly made on the basis of the option exercised by the petitioner. Permitting the petitioner to continue at Tarikhet, despite having opted for Bhujan, would adversely affect the rights of respondent no.6 and would also disturb the allotment made pursuant to the counselling process. Thus, there is no scope for interference. The writ petition is, accordingly, dismissed *in-limine*.

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

(Pankaj Purohit, J.)
11.08.2026

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