



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Service Single No.2108 of 2026

Smt. Kheema

--Petitioner

Versus

State Of Uttarakhand and Others

--Respondents

Presence:-

Mr. Sanjay Bhatt and Mr. Pankaj Bhatt, learned counsel for petitioners.

Mr. N.S. Pundir, learned D.A.G. for the State of Uttarakhand/respondent Nos.1 to 5.

Hon'ble Pankaj Purohit, J. (Oral)

Petitioner has impugned the order dated 27.07.2026 (Annexure No.6 to the writ petition) as well as office order dated 28.07.2026 issued by Principal of G.I.C. Hairakhan, Nainital, (Annexure No.7 to the writ petition), whereby, after declaring the petitioner as surplus Teacher by G.I.C. Hairakhan, she was called upon to submit the options as to which place she wants to be accommodated.

2. Petitioner is Assistant Teacher, L.T. Grade (General), who is posted at G.I.C. Hairakhan, on mutual transfer vide order dated 07.12.2024 with one-Dr. Vivek Pandey. Before that one Navin Chandra, Assistant Teacher, L.T. Grade (General), was transferred as surplus to another College i.e. G.I.C. Goolarghatti, Nainital, vide order dated 27.06.2022. Respondent No.6-Smt. Asha Durgapal, Assistant Teacher, L.T. Grade (General) was transferred and posted at G.I.C. Hairakhan, vide order dated 30.07.2024 and she joined at the said College on 03.08.2026.

3. It is the case of the petitioner that since respondent No.6-Smt. Asha Durgapal joined G.I.C. Hairakhan, as Surplus Teacher despite transfer of one-Navin Chandra as Surplus Teacher from the said College, it



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is respondent No.6 who is Surplus. But, instead of accommodating her to another College, petitioner was asked to give option to which place she could be accommodated.

4. This Court vide order dated 10.08.2026 has called for the instruction from the learned State Counsel.

5. Today, learned State Counsel produced written instruction dated 11.08.2026, which is taken on record. On the basis of instruction, learned State Counsel submits that since petitioner joined in G.I.C., Hairakhan on 13.12.2024 on mutual transfer with earlier Teacher Dr. Vivek Pandey and the respondent No.6 joined on 03.08.2024, therefore, according to the department, petitioner is surplus as she joined later than respondent No.6. Vide order dated 28.07.2026 (Annexure No.7 to the writ petition), Principal of the G.I.C. Hairakhan, Nainital, asked the petitioner to give option, where she could be accommodated as being Surplus Teacher.

6. Without going into the fact as to who is Surplus Teacher, this writ petition is disposed of, with a direction to respondent No.4-Chief Education Officer, District Nainital, to look into this aspect of the matter, as to who could be accommodated as being Surplus Teacher, and to pass appropriate order on the objection dated 29.07.2026 moved by petitioner (Annexure No.9 to the writ petition), preferably within two weeks from today, in accordance with law.

7. Pending application stands disposed of.

8. Let a certified copy of this order be supplied to learned counsel for the parties today itself, as per Rules.

(Pankaj Purohit, J.)
12.08.2026