



2026:UHC:2266-DB

**HIGH COURT OF UTTARAKHAND AT NAINITAL**

THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

31<sup>th</sup> March, 2026

**Writ Petition (S/B) No. 396 of 2025**

Ayurveda Vishvavidyalay Teachers Welfare Association

-----Petitioner

**Versus**

State of Uttarakhand & another

-----Respondents

**Presence:-**

Mr. Pradeep Kumar Chauhan, learned counsel for the petitioner.

Mr. Puran Singh Bisht, learned Chief Standing Counsel, assisted by Mr. Gajendra Tripathi, learned Standing Counsel for the State of Uttarakhand.

Mr. Sandeep Kothari, learned counsel for the respondent no.2

**JUDGMENT: (per Manoj Kumar Gupta, C.J.)**

1. The petitioner is an association of teachers of Uttarakhand Ayurved University stated to be having membership of 70 teachers. The association is registered with the Registrar of Societies, Haridwar Uttarakhand. The members of the petitioner-association are Assistant Professors, Associate Professors and Professors in different disciplines of Ayurveda education. It is stated in paragraph 8 of the writ petition that 31 members of the petitioner-association, who were either originally appointed by the Public Service Commission or by the Uttarakhand Ayurveda



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University, are not being paid salary from the month of March, 2025. In paragraph 10, names of such teachers has been disclosed. It is stated that although the aforesaid members of the petitioner- association have been regularly working but without their services having been terminated and also without there being any disciplinary proceedings pending against them, the respondents have stopped paying salary to them. The petitioner has therefore prayed for a writ of mandamus commanding the respondents to release salary of the members of the petitioner-association, 31 in number, as mentioned in paragraph 10 of the writ petition, from the month of March,2025 and to hold inquiry into the alleged inaction on part of the respondents in failing to pay the salary.

2. Learned counsel for the petitioner submits that at the time of creation of the University, the two Ayurveda colleges, in which, these 31 persons were earlier working became constituent colleges of the University and in terms of Government Order dated 3<sup>rd</sup> October, 2015, they became employees of the University.



3. In pursuance of orders passed in present petition from time to time various meetings of Executive Council of University were held and in one of the meetings held on 9<sup>th</sup> December, 2025, the issue relating to grant of Career Advancement Scheme to the members of petitioner-association was deliberated and decision was taken for release of arrears of salary of six months pending final settlement of the issue regarding alleged illegal extension of benefits of the said scheme in the past and recoveries in pursuance thereto. It has also come on record that the final decision in respect of grant of Career Advancement Scheme to members of petitioner-association and recoveries, if any, to be made for any such payment is engaging the attention of the State Government.

4. Having regard to the said facts, by an order dated 16.03.2026, it was directed that the State Government shall release necessary funds for payment of salary of six months to members of the petitioner-association in pursuance of the decision taken by the Executive Council of the University in its meeting dated 9<sup>th</sup> December, 2025.



5. Learned State counsel has informed that in pursuance to the said direction, the State Government issued a Government Order dated 12<sup>th</sup> March, 2026, thereby releasing a sum of Rs. 618 lakhs for payment of arrears of salary to the members of the petitioner-association.

6. Learned counsel for the petitioner does not dispute the said facts. He submits that so far the members of the petitioner-association have not been served with any notice for recovery nor any disciplinary proceedings are pending against them, therefore, their monthly salary should not be stopped.

7. Learned State counsel very fairly concedes that the respondent-University cannot withhold the salary of the petitioners and even if any amount has wrongly been paid to any member of the petitioner-association, the same could only be recovered after due notice and opportunity of hearing.

8. As it is not disputed before us that the members of the petitioner-association are working in the respondent-University and in pursuance of the previous order, they have already been paid six



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months' salary which was in arrears, as resolved by the Executing Council, therefore, we feel that no useful purpose would be served in keeping the matter pending. The writ petition is disposed of by providing that the petitioner would be paid their salary in accordance with law on a month to month basis unless there is anything adverse order against them. It shall be open to the respondents-State to issue proper individual notices to members of the petitioner-association, in case any amount has wrongly been paid to anyone or any recovery is to be effected.

9. As the Executive Council, vide its resolution, also constituted a Committee to make recommendations regarding regularization and for verification of documents, the said Committee may continue to hold the said exercise without being influenced by the instant order.

10. Pending application, if any, also stands disposed of.

**(MANOJ KUMAR GUPTA, C.J.)**

**(SUBHASH UPADHYAY, J.)**

Dated: 31.03.2026  
Kaushal



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