



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

February 24, 2026

Writ Petition (S/B) No.490 of 2025

Aarti Chitkaria ---Petitioner

Versus

State of Uttarakhand & Ors. ---Respondents

With

Writ Petition (S/S) No.2142 of 2025

Pratibha Singh ---Petitioner

Versus

State of Uttarakhand & Ors. ---Respondents

Writ Petition (S/B) No.2144 of 2025

Shruti Kandari ---Petitioner

Versus

State of Uttarakhand & Ors. ---Respondents

Presence:-

Mr. Navnish Negi and Mr. Himanshu Aswal, learned counsel for the petitioner in WPSB No.490/2025

Mr. Abhijay Negi, learned counsel for the petitioners in WPSB No.2142/2025 and WPSB No.2144/2025 and learned counsel for the applicant (IA No.2/2025 Intervention Application) in WPSB No.490/2025

Mr. B.S. Parihar, learned Additional C.S.C. with Ms. Rajni Supyal Latwal, learned Brief Holder for the State of Uttarakhand



JUDGMENT : (per Mr. Manoj Kumar Gupta C. J.)

1. Heard learned counsel for the parties.
2. All the three writ petitions arise out of the same controversy concerning the recommendations/ transfers of the Principal and members of the teaching staff of Government Girls Inter College, Ranipokhri, District Dehradun and are, therefore, being decided by this common order.
3. The petitioner Aarti Chitkaria in WPSB No.490/2025 is Principal of the Institution. It appears that subsequent to her transfer as Principal of the Institution pursuant to order dated 26.07.2024, there have been constant protests and *dharnas* by the members of teaching staff, seriously affecting the academic functioning of the Institution and jeopardizing the interest of the students. Consequently, on direction of the Director, Secondary Education, Uttarakhand, Dehradun, vide letter dated 25.06.2025, a three member Committee headed by Additional Director of Education, Secondary Education, Garhwal Region, Pauri and two other Officers was



constituted to inquire into the dispute and make appropriate recommendations. The said Committee held a detailed inquiry, recorded the statement of the teachers and thereafter submitted a report dated 06.09.2025. In the said inquiry, the members of the teaching staff alleged that petitioner's behavior towards them was indecent and as a result it had spoiled the atmosphere of the Institution. The Committee, while taking note of the said allegations, observed that the petitioner had dealt with the teachers strictly with a view to maintain academic standard. At the same time, the Committee formed the opinion that the petitioner lacked leadership qualities and was unable to effectively control the teaching staff, which had resorted to *dharna* and various forms of protest. The Committee also found that as a result of unrest and continued *dharna* and *pardarshan*, the academic result of two teachers, namely, Smt. Shruti Kandari (Physics) and Smt. Pratibha Singh (Chemistry) for the current academic year was Nil, consequently, it recommended initiation of departmental proceedings against them, as per law.



4. On the basis of the aforesaid recommendation of the Committee, the Director of Education, vide communication dated 14.10.2025, recommended to the State Government that the Principal be transferred to some other place. Aggrieved thereby, the petitioner has filed the present writ petition.

5. This Court, while entertaining the writ petition, by order dated 17.11.2025, directed the Director, Secondary Education to file a short affidavit furnishing details of the teaching staff and for how long he / she has been working there. In continuation, also the order was passed on 24.11.2025, *inter-alia*, seeking explanation as to what action was taken against teachers whose academic performance had been zero or below average and also those who had indulged in *dharna* and protests.

6. It appears that upon the above said information being sought, the Director, Secondary Education, issued an order dated 03.12.2025, transferring Smt. Pratibha Singh and Smt. Shruti Kandari to different Institutions. Aggrieved thereby,



Smt. Pratibha Singh and Smt. Shruti Kandari filed WPSS No.2142/2025 and WPSS No.2144/2055, respectively. Both the writ petitions are connected with the petition filed by Smt. Arti Chitkaria and have been heard together.

7. It has been brought on record that Smt. Pratibha Singh and Smt. Shruti Kandari have joined at their respective places of transfer in compliance of order of this Court dated 31.12.2025.

8. Learned counsel for the petitioner in WPSB No.490/2025 submitted that the petitioner was transferred to the present Institution only on 26.07.2024 and, therefore, the recommendation for her transfer is without any basis and should not have been made. It is contended that the report of the three member Committee, in fact, substantially supports the petitioner and does not furnish any valid ground for recommending her transfer. He further submits that the teachers of the Institution have acted in concert against the petitioner and that, if she is transferred, it would amount to yielding to their pressure tactics.



9. Learned counsel for the petitioners in WPSS No.2142/2025 and WPSS No.2144/2055 submitted that the transfer orders impugned herein are arbitrary and based on irrelevant considerations. Insofar as Smt. Shruti Kandari is concerned, it has been submitted that although her result for the current academic session was Nil, her performance in the preceding years was consistently good. He also submitted that his daughter is suffering from Autism and the place where she has been transferred i.e. GGIC, Barkot, Uttarkashi lacks adequate medical facilities and therefore the transfer order should be withdrawn.

10. In respect of the petitioner in WPSS No.2142/2025, the submission is that she had been transferred to the present Institution only two months prior to the declaration of result and therefore she cannot be held solely responsible for zero result.

11. Learned State Counsel, on the other hand, submitted that in the case of Arti Chitkaria, the teaching staff had made several complaints against her and even during the earlier posting, complaint of



similar nature were made against her. He, thus, tried to support the recommendations made by three member Committee.

12. In respect of the teachers, he submits that since they have delivered zero result, therefore, they have been transferred.

13. We have considered the rival submissions and perused the material available on record.

14. It is not in dispute that the teaching atmosphere in the Institution has been seriously affected due to unrest between the teaching staff and the Principal. It is also not disputed that in respect of the teachers against whom transfer orders have been passed, the academic result for the current academic session had been zero.

15. The Director, Secondary Education, noticing that the teaching in the Institution is getting adversely affected because of the dispute between the Principal and teaching staff, had constituted three member Committee to inquire into the matter and to make appropriate recommendations. The said Committee



was chaired by official of the rank of Additional Director. The Committee, as is evident from the report, has held an extensive inquiry and has thereafter made its recommendations for transfer of Arti Chitkaria, Principal of the Institution. The Committee found that although she had made efforts to improve the academic standard of the Institution and enforce discipline but she utterly failed in containing the agitation by the teaching staff. The Committee has found her to be lacking in leadership qualities, which is an essential trait for the job of Principal of an Institution. The Committee, therefore, made recommendation for posting of the petitioner in DIET or CMAT, where job profile does not require the administrative capabilities, which are expected from a Principal of an Institution. The recommendation of the Committee has yet not been acted upon and at this stage the petitioner has rushed to this Court and has filed the writ petition.

16. We are of the considered opinion that it is within the domain of the State Government to examine the report and take appropriate decision as to



whether the said report has to be accepted or not and whether the petitioner has to be transferred to any other place. The Court does not have the expertise to examine how the academic atmosphere of the Institution is to be restored, nor is supposed to encroach into the said domain of the State Government. Therefore, at this stage, we find no good ground to quash the recommendations made by the Director, Secondary Education, Uttarakhand to the State Government, based on the report of the three member Committee. We leave it open to the State Government to take independent decision in respect of the proposal for transfer of the petitioner to some other Institution. Accordingly, the WPSB No.490/2025 stands disposed of.

17. In respect of petitioners in WPSS No.2142/2025 and WPSS No.2144/2055, as the result delivered by the petitioners was zero, therefore, we do not find any fault in the decision of the Director, Secondary Education, Uttarakhand, transferring the petitioners to some other place. Admittedly, the petitioners have indulged in demonstration instead of



teaching the students, which has seriously impacted the functioning of the school and definitely the result of the Institution.

18. In case, the petitioners are having any personal issues, they are free to raise the same by filing appropriate representation before the Director, Secondary Education and we further provide that in case any such representation is made by the petitioners, it would be considered by respondent no.2 within three weeks from the date representation is made. Accordingly, WPSS No.2142/2025 and WPSS No.2144/2025 also stand disposed of.

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

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 24.02.2026

Rajni