



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Service Single No. 1689 of 2026

14 July, 2026

Tahir Hasan & another

--Petitioners

Versus

State Of Uttarakhand & others

--Respondents

With

Writ Petition Service Single No.2378 of 2024

Lalit Kumar & others

--Petitioners

Versus

State Of Uttarakhand & others

--Respondents

Writ Petition Service Single No.1435 of 2025

Savitri Devi & others

--Petitioners

Versus

State Of Uttarakhand & others

--Respondents

Writ Petition Service Single No.1708 of 2026

Mohd. Anees & others

--Petitioners

Versus

State Of Uttarakhand & others

--Respondents

Presence:-

Mr. Parikshit Saini, learned counsel for the petitioners.

Mr. G.S. Negi, learned Additional C.S.C. along with Mr. Narayan Dutt, learned Standing Counsel and Mr. D.K. Bankoti, learned Brief Holder for the State.

Hon'ble Pankaj Purohit, J.

By means of these writ petitions, petitioners have sought a writ of certiorari quashing the orders dated 09.08.2018 and 28.04.2018, whereby the respondents have directed the recovery of excess payment allegedly



made to the petitioners due to the wrong fixation of pay scale.

2. Petitioners in these writ petitions were initially appointed as Assistant Teachers in Primary Schools in District Haridwar. On completion of requisite period, they were promoted to the post of Assistant Teacher/Head Master/Head Mistress in the upgraded school, i.e. Junior High School, in the year 2008-2009. By the impugned order dated 28.04.2018 issued by respondent no.2, a direction was issued to ensure recovery of the excess payment made to the petitioners and similarly situated persons, holding that the excess amount was to be paid to them from the date of their promotion, which was actually paid to the petitioners with effect from 01.01.2006.

3. Learned counsel for the petitioners contends that the amount was paid to the petitioners from the date of their actual promotion and that no excess amount has been paid to them.

4. This Court had directed the learned State Counsel to seek instructions in the matter.

5. Learned State Counsel has placed the instructions dated 13.07.2026 before this Court, and the same are taken on record. On instructions, he submits that, pursuant to the order passed by the Co-ordinate Bench in WPSS No.990 of 2018, (*Manoj Kumar vs. State of Uttarakhand & others and batch*), and other connected petitions dated 06.11.2023, no recovery is being made from the petitioners.

6. Learned State Counsel has also drawn the attention of this Court to the counter affidavit filed by the



State in WPSS No. 2378 of 2024, wherein a clear statement has been made in paragraph 5 that the matter is squarely covered by the judgment rendered by the Co-ordinate Bench of this Court in WPSS No. 990 of 2018 (*Supra*).

7. Since the subject matter of these writ petitions is similar to writ petitions decided by the judgment rendered by the Co-ordinate Bench in WPSS No. 990 of 2018, (*Manoj Kumar vs. State of Uttarakhand & others and batch*), decided on 06.11.2023, therefore, these writ petitions deserve to be decided in the light of the said judgment.

8. Following the ratio of the aforesaid judgment, all these writ petitions are allowed. Respondents are restrained from making any recovery from the petitioners pursuant to the impugned orders.

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

(Pankaj Purohit, J.)
14.07.2026

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