



2025:UHC:6457

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

23rd JULY, 2025

WRIT PETITION (S/S) NO.1003 of 2025

Rekha ManralPetitioner
Versus
State of Uttarakhand and OthersRespondents

Counsel for the Petitioner : Mr. Vinod Tiwari,
Advocate.

Counsel for the Respondents : Mr. G.S. Negi,
Additional Chief
Standing Counsel.

Hon'ble Alok Kumar Verma,J.

Present Writ Petition has been filed under Article 226 of the Constitution of India with the following prayers:-

“(i) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent authorities to forthwith give the promotional post to the petitioner in any other junior High School of Block Haldwani, District Nainital in place of Government Girls Junior High School Mukteshwar, (राजकीय कन्या उच्च प्राथमिक विद्यालय मुक्तेश्वर) Block Ramgarh, District Nainital by giving her benefit of the senior employee as provided under section 18(2) read with section 7(d) of the Uttarakhand Annual Transfer for Public Servants Act, 2017, in pursuance of the



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promotion order dated 24.05.2025 issued by the respondent No.5 (Annexure No.1).

(ii) To pass any other writ, order or direction, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

(iii) Award cost of the writ petition.”

2. Heard Mr. Vinod Tiwari, learned counsel for petitioner and Mr. G.S. Negi, learned Additional Chief Standing Counsel for respondents.

3. Mr. Vinod Tiwari, Advocate, submitted that the petitioner is posted as Assistant Teacher (Primary) in Government Adarsh Primary School, Dholakhera, Block Haldwani, District Nainital. She is about 58 years old. Her date of birth is 19.07.1967. She has been transferred to Government Girls Junior High School, Mukteshwar, Block Ramgarh, District Nainital. She sent her representation to the District Education Officer (Elementary Education), Nainital. One Pushpa Arya, the Assistant Teacher, is going to retire on 31.10.2025. She does not want to avail session benefit. Therefore, the petitioner is requesting to transfer her in place of Pushpa Arya, who is posted in Government Adarsh Junior High School, Chharayal Suyal, Block Haldwani, District Nainital and the petitioner is ready to forego her promotion till the date of superannuation of Smt.



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Pushpa Arya.

4. Mr. H.B. Chand, the District Education Officer, Elementary Education, Nainital/respondent no.5 is present through video conferencing. He submitted that if the petitioner moves her representation before him, her representation shall be decided within six weeks’.

5. Mr. Vinod Tiwari, Advocate, submitted that the petitioner agrees with the submission of the District Education Officer, Elementary Education, Nainital.

6. On the request of both the parties, the present Writ Petition (S/S No.1003 of 2025) is disposed of with a direction that if the petitioner moves her representation within two weeks’ from today along with a certified copy of this order, the District Education Officer, Elementary Education, Nainital shall decide the said representation as expeditiously as possible but not later than six weeks’ thereafter.

7. It is made clear that this Court has not expressed any opinion on the merits of this case.

ALOK KUMAR VERMA, J.

Dt:23.07.2025
Neha

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