SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPSB/576/2026 Satyapal Singh --Petitioner **Versus** State of Uttarakhand & Others --Respondents **Hon'ble Manoj Kumar Tiwari, A.C.J.** **Hon'ble Subhash Upadhyay, J.** Mr. V.K. Kaparuwan, Advocate, with Mr. Krishan Mohan Joshi, Advocate, for the petitioner. Mr. SMS Mehta, Standing Counsel, for the State. Mr. Parikshit Saini, Advocate, for the caveator/management. (2) Petitioner is serving as Principal in a government aided intermediate college. He was put under suspension by the Management of the college, vide order dated 1.4.2026. Petitioner has challenged his suspension on various grounds. One of the grounds taken for challenging the suspension is that suspension order has not been approved by the competent authority i.e. District Education Officer, as required under Section 39(7) of Uttarakhand School Education Act, 2006. Section 39(7) of the said Act is reproduced below: *"39(7) No such order of suspension shall, unless approved by the District Education Officer, shall remain in force for more than sixty days from the date of such order, and the order of the District Education Officer shall be final and shall not be questioned in any court."* (3) Plain reading of the aforesaid provision indicates that a suspension order, passed by Committee of Management, if not approved by District Education Officer, shall remain in force only for 60 days and not thereafter. In the present case, suspension order was passed against petitioner on 1st April,

2026. Thus 60 days' period stood expired on 31st May, 2026. Thus, in the absence of approval by the competent authority, the order of suspension cannot remain in force after 31st May, 2026.

(4) Learned Counsel for the Management, however, submits that Management filed Writ Petition (S/B) No. 566 of 2026 against inaction on the part of District Education Officer in approving the suspension order and coordinate Bench of this Court passed an order on 24.8.2026 directing the Chief Education Officer to take decision in relation to suspension of petitioner on the basis of documents forwarded to him by the Committee of Management within four weeks. Thus he submits that in the light of that order, any interference with the suspension order would not be warranted.

(5) We are not impressed by the said contention. Aforesaid writ petition was filed by the Committee of Management in August 2026, while the suspension order passed by the Management lost its validity immediately upon expiry of 60 days from the date of its passing. Thus the approval, even if granted after expiry of 60 days, will not revalidate a suspension order, which lost its validity much earlier.

(6) For the aforesaid reasons, we allow the writ petition and hold that impugned suspension order, passed against the petitioner, does not hold good after expiry of 60 days, to be counted from 1st April, 2026. Petitioner shall be entitled to all consequential benefits. However, this order will not in any manner affect the ongoing enquiry against the petitioner.

(Subhash Upadhyay, J.) (Manoj Kumar Tiwari, A.C.J.)
27.10.2026

Pr

PRABODH KUMAR
