IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

HON'BLE THE ACTING CHIEF JUSTICE SRI MANOJ KUMAR TIWARI
AND
HON'BLE SRI JUSTICE SUBHASH UPADHYAY

WRIT PETITION (PIL) NO. 154 OF 2026

29TH OCTOBER, 2026

National Public Service Trust ..... Petitioner

Versus

State of Uttarakhand and others ..... Respondents

Counsel for the petitioner	:	Ms. Prabha Naithani, learned counsel
Counsel for the respondents	:	Mr. Amarendra Pratap Singh, learned Additional Advocate General with Mr. B.S. Parihar, learned Additional Chief Standing Counsel and Mr. M.S. Bisht, learned Brief Holder for the State

The Court made the following:

JUDGMENT: (per Sri Manoj Kumar Tiwari, A.C.J.)

1) Petitioner has raised the issue of shortage of specialist doctors in the Government hospitals in Uttarakhand State. The relief sought in the writ petition, are as follows :

i) Issue an appropriate writ, order or direction commanding the respondents to fill, within a stipulated timeframe, all 545 vacant specialist

doctor posts against the total 840 sanctioned posts across District Hospitals, Sub-District Hospitals and Community Health Centres throughout Uttarakhand, as disclosed in the RTI response dated 30.09.2026, and ensure the availability of essential specialist, diagnostic, surgical and emergency medical services in all such institutions for the patients.

ii) Issue an appropriate writ, order or direction commanding respondents to conduct a State-wide functional audit of Government hospitals, medical equipment, electricity supply and power backup systems, including investigation into the reported Didihat incident, and ensure immediate repair, operationalisation and maintenance of deficient facilities.

iii) Issue an appropriate writ, order or direction commanding the respondents to conduct an independent audit of the reported budgetary provision of Rs.1,411.50 lakh against expenditure of Rs.82.12 lakh for emergency medical facilities during the relevant three-year period, and separately examine the causes and outcomes of 52,942 patient referrals during 2025-26, including preventable deaths, if any, and fix accountability wherever negligence or irregularities are established.

iv) Issue an appropriate writ, order or direction commanding the respondents to implement a time-bound State-wide healthcare improvement plan and SOP covering specialist availability, emergency infrastructure, power backup, effective fund utilization and prevention of avoidable referrals, with periodic compliance reports before this Hon'ble Court."

2) Learned State Counsel submits that process of appointing specialist doctors through walk-in-interview is on and all the available vacancies of specialist doctors are expected to be filled by the end of this financial year.

3) Learned counsel for the petitioner, however, submits that State Government is not serious about supplying available vacancies of specialist doctors by regular appointment and only contractual appointments are proposed to be made against available vacancies which is a short term solution of a long standing problem.

4) Having regard to the facts of the case, the writ petition is disposed of with the direction to the Secretary, Medical Health and Family Welfare,

Government of Uttarakhand to consider the representation made by the petitioner on 02.10.2026 and take decision, as per law, within four months from date of receipt of certified copy of this Order.

5) Pending application(s), if any, also stand disposed of.

MANOJ KUMAR TIWARI, A.C.J.

SUBHASH UPADHYAY, J.

Dt: 29TH OCTOBER, 2026
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