| SL. No. | Date | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | COURT'S OR JUDGE'S ORDERS |
|---|---|---|---|
| | | | **WPSB/700/2026**<br>Anshuman Mishra --Petitioner<br>**Versus**<br>State of Uttarakhand and others --Respondents<br>**Hon'ble Manoj Kumar Tiwari, A.C.J.**<br>**Hon'ble Subhash Upadhyay, J.**<br>Mr. Anil Kumar Joshi and Ms. Divya Tiwari, Advocates for the petitioner.<br>2. Mr. B.S. Parihari, Additional Chief Standing Counsel with Mr. M.S. Bisht, Brief Holder for the State of Uttarakhand.<br>3. Mr. K.P. Upadhyay, Senior Advocate, assisted by Mr. Hemant Pant, Advocate for respondent nos. 3 and 4.<br>4. Mr. Yogesh Pacholia, Advocate for respondent no. 5.<br>5. Mr. Bhupesh Kandpal, Advocate for respondent nos. 6.<br>6. Petitioner is serving as Assistant Professor, Department of Chemical Engineering, Bipin Tripathi Kumaon Institute of Technology, Dwarahat, District Almora in Level-11. According to him, he is due for promotion to Level-12 and Level-13A, as per AICTE Regulations, notified on 01.03.2019.<br>7. By means of this writ petition, petitioner has sought the following reliefs:-<br>*"i) Issue a writ of certiorari quashing the impugned promotion exercise under Career Advancement Scheme scheduled for 4th and 5th November 2026 after* |

*calling the record from the Institute from respondent no. 3.*

*ii) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to promote the petitioner in Level 12 and Level 13 from 8.11.2020 when he become eligible under 2019 Regulation and Level 13 from June 2025 when the petitioner has cleared the Ph.D. Degree."*

8. Learned counsel for petitioner drew our attention to the order passed by Coordinate Bench in Writ Petition (S/B) No. 549 of 2026 earlier filed by petitioner. Relevant extract of the said order is reproduced below:-

*"4. Learned counsel for the respondents do not oppose the said prayer and state that the process would be completed in accordance with law within such time as may be directed by this Court.*

*5. Accordingly, the writ petition is disposed of with direction to respondent Institute to conclude the process of promotion to Level-12 and Level-13 as per Career Advancement Scheme in accordance with law within three months from today."*

9. Learned counsel for the petitioner submits that even though respondents were directed to conclude the process of promotion to Level-12 and Level-13 within three months, however, petitioner's claim for promotion is not being considered in the ongoing promotion exercise.

10. Mr. K.P. Upadhyaya, learned senior counsel appearing for the Institute submits that petitioner is expected to supply relevant information in the prescribed template, as per AICTE Regulations, 2010, however, petitioner has not submitted the

information in the prescribed template and he wants his case to be considered for promotion under 2019 Regulations, even though he is not eligible as per 2019 Regulations.

11. Learned counsel for petitioner, however, disputes the submission made by learned senior counsel appearing for the Institute and he submits that petitioner meets all conditions of eligibility, as are mentioned in 2019 AICTE Regulations.

12. Since Coordinate Bench has directed the authorities of the Institute to hold promotion exercise within three months and petitioner's claim for promotion has not been considered so far, we, therefore, dispose of the writ petition with a direction to respondent nos. 2, 3 & 4 to consider claim of petitioner for promotion to Level-12 and Level-13, as per law, within four weeks from the date of presentation of certified copy of this order. In case, petitioner is found not eligible for promotion, then the competent authority shall indicate the reason for treating him ineligible.

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

05.11.2026

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