

(2025) 08 UK CK 0593

In the Uttarakhand High Court

Case No : Writ Petition Service Bench No. 204 Of 2017

Government Principals Association Uttarakhand & Another

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 13-08-2025

Acts Referred:

Constitution Of India, 1950 — Article 309

Citation : (2025) 08 UK CK 0593

Hon'ble Judges : Manoj Kumar Tiwari, J;Subhash Upadhyay, J

Bench : Division Bench

Advocate : Puran Singh Bisht

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. Petitioner is an association of Principals of Government Intermediate Colleges. They are aggrieved by the Uttarakhand State Educational (Administrative Cadre) Service Rules, 2013, which provides that persons serving as Deputy Director, alone shall be eligible for promotion to the post of Joint Director of Education.
2. It is the contention of the petitioners that Principal, Government Intermediate Colleges should also be made eligible for promotion as Joint Director.
3. Learned State Counsel is right in submitting that the channels of promotion have to be decided by the employer, which in the present case, is the State Government.
4. Since the State Government in its Rule making power under proviso to Article 309 of the Constitution has framed Service Rules, therefore, channel of promotion cannot be given to petitioners merely on their asking, as the State Government has to examine various other aspects, before amending the Rules.
5. Be that as it may, since petitioners have sought a writ of mandamus, therefore, we think that ends of justice would be met, if petitioner association is

permitted to make representation to the State Government.

6. The writ petition is, accordingly, disposed of with liberty to petitioner association to make representation to the State Government. If petitioner makes such representation, within three weeks from today, the competent authority in the State Government shall consider the same, as per law.