

(2025) 03 UK CK 0933

In the Uttarakhand High Court

Case No : Writ Petition No. 1083 Of 2017 (S/S)

Sunil Kumar And Others

APPELLANT

Vs

State Of Uttarakhand Through Principal Secretary, Home And
Others

RESPONDENT

Date of Decision : 26-03-2025

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2025) 03 UK CK 0933

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

**Advocate : Vinay Kumar, Jayvardhan Kandpal, Mahendra Singh Rawat,
Himanshu Pal Singh**

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. The 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 certiorari after calling for the record quash the Decision of the Police Establishment Committee dated 22-04-2017 (Annexure No.19.) and the consequential order dated 04-05-2017 passed by the Inspector General of Police (Head Quarter) Uttarakhand Police.

(ii) Issue a writ, order or direction in the nature of certiorari after calling for the record quash the Clause 8 of the Minutes of Meeting dated 06.10.2016 (Annexure No. 19.) of the Police Establishment Committee to the extent it provides that the seniority of the petitioners will be determined from the date of their induction/ appoint.

(iii) Issue a writ, order or direction in the nature of Certiorari after calling for the records and quashing the impugned Final Senior List of the Constable (Mounted

Police) Uttarakhand Police circulated vide communication dated 22.12.20216 (Annexure No.14) of the Uttarakhand Police Headquater, Dehradun inasmuch as the same has been prepared on the basis of the date of induction in Mounted Police as the date of substantive appointment for determination of seniority.

(iv) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to prepare fresh Seniority List of the Constable (Mounted Police), Uttarakhand Police by treating the date of initial appointment on the post of Constable Uttarakhand Police as date of substantive appointment instead of treating the date of induction in Mounted Police as date of substantive appointment.

(v) Issue any suitable writ, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case.

(vi) Award the cost of writ petition to the petitioner.”

2. Heard Mr. Vinay Kumar, learned counsel for the petitioner no.1, Mr. Jayvardhan Kandpal, learned Standing Counsel for the respondent nos.1 to 3, Mr. Mahendra Singh Rawat, learned counsel for the respondent nos.4 to 7 and Mr. Himanshu Pal Singh, learned counsel for the respondent no.5.

3. The vakalatnama, filed by Mr. Mahendra Singh Rawat, Advocate for the respondent no.4, is taken on record.

4. The writ petition was dismissed on 22.02.2023 qua the petitioner nos.2 to 5.

5. The respondent no.7 has filed a copy of the Uttarakhand Mounted Police Service (Amendment) Rules, 2024 [in short, “(Amendment) Rules, 2024”] .

6. Learned counsel appearing for the State, on instructions, submitted that the promotions will be done in terms of the provisions of the (Amendment) Rules, 2024.

7. Mr. Vinay Kumar, Advocate, for the petitioner no.1, Mr. Himanshu Pal Singh, Advocate, for the respondent no.5 and Mr. Mahendra Singh Rawat, Advocate, for the respondent nos.4 to 7 agree with the said submissions of Mr. Jayvardhan Kandpal, Advocate for the respondent nos. 1 to 3.

8. On the request of the parties, the present writ petition (WPSS No.1083 of 2017) is disposed of in the light of the submissions of the learned counsel for the State.