



IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI MANOJ KUMAR GUPTA

AND

HON'BLE SRI JUSTICE SIDDHARTHA SAH

24th August, 2026

WRIT PETITION (S/B) NO. 564 OF 2026

Prof. Vidya Sagar

----Petitioner

Versus

Union of India and others.

---Respondents

Counsel for the petitioner : Ms. Medha Pande, learned counsel.

Counsel for the respondents : Ms. Khushboo Tiwari Sharma, learned
Standing Counsel for the Union of
India.
Dr. Kartikey Hari Gupta, learned
counsel for respondent Nos. 2, 3 & 4.

JUDGMENT : (PER: SRI MANOJ KUMAR GUPTA, C.J.)

1. Heard Ms. Medha Pande, learned counsel for the petitioner, Ms. Khushboo Tiwari Sharma, learned Standing Counsel for the Union of India and Dr. Kartikey Hari Gupta, learned counsel for the respondent-University.

2. The petitioner is a Professor in the Department of Statistics, Hemwati Nandan Bahuguna Garhwal (Central) University, Srinagar (Garhwal), Uttarakhand. He is aggrieved by an order passed by Director of the respondent-University, whereby the petitioner has been directed to mark his attendance in the Attendance Register kept at the Director's office. The said direction appears to have been issued in view of the fact that on various dates, the Department was found closed and the petitioner absent from the Department. The petitioner is also aggrieved by



another order dated 21.05.2026, whereby the Director of the University has communicated to the petitioner that in view of his absence from the Institution on various dates, it would not be possible to disburse salary to him on the dates he remained absent.

3. Learned counsel for the petitioner has tried to dispute the facts recorded in the order dated 21.05.2026 and has also submitted that the petitioner has been singled out by requiring him to mark his attendance in the Register kept at Director's office, although all other Head of Departments are marking their own attendance in the Register maintained in their respective Departments.

4. The aforesaid dispute is essentially a factual dispute, which we are not inclined to examine in the writ jurisdiction. We are of the opinion that interest of justice would be served in directing the respondent-University to consider the representations filed by the petitioner against the direction for marking his attendance in the Register kept at the Director's office and also in respect of the stand of the University for deducting salary for certain dates on which the petitioner was reported to be absent.

5. Dr. Kartikey Hari Gupta, learned counsel appearing for the University very fairly states that the representations would be decided by the University. He also has no objection if a direction is issued by this Court to the Executive Council to consider and decide the representations.



6. Accordingly, without expressing any opinion on merits, the writ petition is disposed of with direction to the Vice Chancellor of the University to place all the representations of the petitioner (dated 21.04.2026, 26.04.2026 and 12.08.2026) before the Executive Council for being considered and decided within four weeks from today.

7. All pending applications stand disposed of accordingly.

MANOJ KUMAR GUPTA, C.J.

SIDDHARTHA SAH, J.

Dt: 24th August, 2026
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