



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Service Single No. 1551 of 2026

14 July, 2026

Mukesh Kumar Verma

--Petitioner

Versus

State Of Uttarakhand & others

--Respondents

Presence:-

Mr. Tarun Pande, learned counsel for the petitioner.

Mr. R.C. Joshi, learned Brief Holder for the State.

Hon'ble Pankaj Purohit, J.

Supplementary affidavit (IA No.2/2026) filed by the petitioner is taken on record. Misc. application thus stands allowed accordingly.

2. This writ petition has been filed by the petitioner seeking a writ of mandamus commanding respondent nos.3 & 4 to promote the petitioner from the post of Class-IV Attendant to the vacant post of Junior Assistant (Clerk) in strict compliance with Chapter 3, Clause 2(2) of the approved Scheme of Administration and for other ancillary reliefs.

3. The contention of the petitioner, as unfolded from the writ petition, appears to be that petitioner is the senior-most Class-IV employee with the respondent-Institution, Vivekanand Purva Madhyamik Vidyalaya, a non-government aided institution. Petitioner was discharging the duties of Junior Clerk in the Institution for the last one year. Though, subsequently, that charge has been withdrawn from the petitioner, post filing of the writ petition, petitioner claims him to be promoted to a Class- III post.



2026:UHC:5750

4. Petitioner cannot claim promotion to a Class-III post merely on the ground that he was discharging the duties of a Class-III employee and that he is the senior-most Class-IV employee. Until the promotional exercise is conducted by the respondents, petitioner has no right to seek promotion by filing the present writ petition.

5. It is a settled position of law that petitioner has no indefeasible right to be promoted to a promotional post, rather, he has a right to be considered for promotion as and when the promotional exercise is conducted by the respondents.

6. In such view of the matter, no interference is warranted. Accordingly, the writ petition is dismissed *in limine*.

7. Pending application, if any, stands disposed of accordingly.

(Pankaj Purohit, J.)
14.07.2026

AK