

**IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL****THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA****AND****THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY****July 07, 2026****Special Appeal No.265 of 2026**

Dr. Akhil Chilwal

----Appellant

VersusG.B. Pant University of Agriculture & Technology
And Others

----Respondents

Presence:-

Mr. Sanjay Bhatt, learned counsel for the appellant

Mr. Vipul Sharma, learned counsel for the G.B. Pant University.

JUDGMENT : (per Mr. Manoj Kumar Gupta, C. J.)

1. The present intra-court appeal is directed against the order of learned Single Judge dated 15.05.2026 in WPSS No.368 of 2022, whereby the writ petition filed by the appellant has been dismissed on the ground that as on date no relief could be granted and, for the said reason, the grounds on which the candidature of the appellant for recruitment as teaching personnel (Statistics) was declared as ineligible, has not been examined.

2. The writ court has also rejected the amendment application filed by the appellant, whereby he sought the relief of regularization of his services.

3. The brief facts are that the appellant was engaged as Teaching Personnel on contractual basis in the Department of



Mathematics at G.B. Pant University of Agriculture and Technology in the year 2011 and he continued to serve in that capacity till the year 2015. Thereafter, his contract was not renewed. On 30.11.2021, an advertisement was issued inviting applications for appointment on contract basis as Teaching Personnel in Department of Mathematics, Statistics and Computer Science. In pursuance of the said advertisement, the appellant also applied but his candidature was declared ineligible for various reasons contained in Annexure-1 to the writ petition. Respondent nos.4 and 5 were appointed. The duration of the appointment was for one semester only. Consequently, learned Single Judge has held that since the term of appointment of respondent nos.4 and 5 had expired long back, the issue as to whether the appellant was rightly held to be ineligible, would be of academic importance only and has therefore declined to examine the same.

4. Learned counsel for the appellant very fairly states that as far as the issue relating to regularization is concerned, the learned Single Judge has rightly observed that the said issue could not be examined in the present writ petition. He fairly states that the appellant is not aggrieved by said portion of the order. He, however, submits that even though the term of appointment of respondent nos.4 and 5 had expired but the declaration of the candidature of the appellant, as ineligible for recruitment, would continue to operate against him in future and it is apprehended that in case the appellant applies in any future recruitment



process, again his candidature may be declared ineligible for the self-same ground.

5. The contention appears to have force. The said apprehension is, accordingly, taken care of by proving that in case the appellant applies in any future recruitment, the ground on which his candidature was declared to be ineligible in the recruitment held in pursuance of advertisement dated 30.11.2021, would not come in his way and the concerned authority shall examine the eligibility of the appellant independently without being influenced by the previous decision.

6. The appeal stands disposed of, accordingly.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 07.07.2026

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