



2026:UHC:1012-DB

HIGH COURT OF UTTARAKHAND AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI MANOJ KUMAR GUPTA, C.J.

AND

HON'BLE SRI JUSTICE SUBHASH UPADHYAY, J.

17th February, 2026

Special Appeal No. 163 of 2025

Uttarakhand Diploma Engineers Mahasangh

-----Appellant

Versus

District Magistrate, Rudraprayag and others

-----Respondents

Presence:-

Shri Dinesh Gahatori, learned counsel for the appellant.

Shri B.S.Parihar, learned Additional C.S.C. for the State.

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

1. The present *intra court* appeal is directed against an order of learned Single Judge dated 01.05.2025, by which, Writ Petition No. 672 of 2025(S/S), filed by the appellant has been dismissed.

2. The appellant is an association of Diploma Engineers working under the State Government in PWD and Irrigation departments. They had preferred the writ petition seeking a mandamus restraining respondents no. 1 & 2 from deploying the members of the petitioner



association, who are Diploma Engineers in Kedarnath Dham Yatra under Chardham Yatra in any capacity.

3. The plea of the petitioner before the Writ Court was that members of the petitioner association have been deployed for maintaining sanitation during the Chardham Yatra, a work which is not relatable to their duties.

4. In support of the said contention, reliance was placed on an order dated 05.04.2023 annexed as annexure-2 to the writ petition. The learned Single Judge has considered the contention and has dismissed the writ petition observing that a Government servant has to perform duties as per the exigencies of service.

5. It has also been observed that Kedar Nath Dham Yatra under Chardham Yatra is a yatra which has gained popularity in recent years and as State Government has to ensure safety, security and convenience of the yatries during the yatra, therefore, the Government was within its power to assign duties to members of the petitioner-association.



6. Learned counsel for the appellant contends that the members of the petitioner-association are technical experts and they have no experience in maintaining sanitation and other such jobs, which according to him have been assigned to the petitioner-association.

7. As noted above, in support of the said contention, again reliance has been placed on the order annexed as annexure-2 to the writ petition.

8. We have gone through the order dated 5th April, 2023. It is a composite order, by which, duties have been assigned to Government servants working under different departments and also officers of the local bodies and municipalities.

9. A perusal of the aforesaid order reveals that sanitation work and other similar related works have been assigned to officers of Sulabh International and officers of Municipalities and local bodies. The members of the petitioner-association have not been assigned any such duties. They have been assigned the role of preventing landslides and repair of the tracks, through



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which, Yatra has to pass. Even on repeated query made to learned counsel for the appellant, he is unable to show from the said order that any sanitation work has been assigned to any member of the appellant-association.

10. In view of the above, we find no merit in the instant appeal. It is accordingly, dismissed.

11. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 17.02.2026

Kaushal