



2026:UHC:3527-DB

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA
AND

HON'BLE SHRI JUSTICE SUBHASH UPADHYAY

08TH MAY, 2026

SPECIAL APPEAL No. 94 OF 2024

Uttarakhand State Warehousing Corporation.

...Appellant

Versus

Pramod Kumar and others.

...Respondents

Counsel for the appellant. : Mr. Parikshit Saini, learned counsel.

Counsel for respondent nos. 1 & 2. : Mr. Hari Mohan Bhatia, learned counsel.

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

1. The instant intra-court appeal is directed against the order dated 14.03.2024 passed by learned Single Judge in Writ Petition (S/S) No. 3495/2018, whereby the Writ Petition filed by non-appellant nos. 1 & 2 herein has been disposed of, quashing the order impugned in the Writ Petition dated 28.06.2017, by which the appellant has rejected the request of non-appellant nos. 1 & 2 for regularization of their services, on the ground that the Regularization Rules of 2016 had been stayed by this Court, by order dated 24.01.2017 passed in Writ Petition (S/S) No. 154/2017, and consequently their services cannot be regularized, with further direction to the appellant to regularize the services of non-appellant nos.1 & 2.



2. The short submission of learned counsel for the appellant-Corporation is that, although the stay order dated 24.01.2017 passed in the Writ Petition has merged into final order dated 22.02.2024, the effect of which is to amend the Regularization Rules to a limited extent, but in such an event, the Corporation should have been given liberty to consider the case of non-appellant nos. 1 & 2 for regularization. He submits that there was break in service of non-appellant no. 1 and non-appellant no. 2, does not fulfill the criteria laid down under the Regularization Rules. As the Regularization Rules remained stayed, therefore, the appellant-Corporation did not get any opportunity to place these facts before the writ Court. It is submitted that the appellant-Corporation has no objection in considering the case of non-appellant nos. 1 & 2 for regularization, as per the Regularization Rules, 2013, as amended on 05.12.2025, on basis of directions issued by this Court by judgment dated 22.02.2024 passed in Writ Petition (S/B) No. 616/2018 and connected matters.

3. Learned counsel appearing on behalf of respondent nos. 1 & 2 very fairly states that he has no objection in case the order of learned Single Judge is modified to the aforesaid extent. He submits that non-appellant nos. 1 & 2 be given



liberty to file fresh representation, and state complete facts before the appellant-Corporation. He also prays that a specified time frame be fixed for deciding the plea of regularization of services of non-appellant nos. 1 & 2.

4. Having regard to the aforesaid submissions, the instant intra-court appeal is disposed of as follows :-

(a) The order of learned Single Judge is set-aside to the extent it directs the appellant-Corporation to regularize the services of non-appellant nos. 1 & 2.

(b) Non-appellant nos. 1 & 2 are granted liberty to file fresh representations, along with supporting evidence, within four weeks, along with attested copy of the instant order before the appellant-Corporation, seeking regularization of their services.

(c) The appellant-Corporation will pass a speaking order on the said representations within a further period of four weeks.

5. Dependent upon the outcome of the representations filed by non-appellant nos. 1 & 2, for regularization of their services, non-appellant nos. 1 & 2 would be entitled to consequential benefits, if any.



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6. All pending applications stand disposed of accordingly.

MANOJ KUMAR GUPTA, C.J.

SUBHASH UPADHYAY, J.

Dt: 08th May, 2026
Rahul