



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

Writ Petition (S/B) No.167 of 2026
23 March, 2026

Priya Joshi

-----Petitioner

Versus

State of Uttarakhand and Others

----Respondents

Presence:-

Ms. Divya Tiwari, learned counsel holding brief of Mr. Anil Kumar Joshi, learned counsel for the petitioner.

Mr. B.S. Parihar, learned Addl. C.S.C. along with Mr. Gajendra Tripathi, learned Standing Counsel for the State of Uttarakhand.

Mr. C.S. Rawat, learned counsel along with Ms. Rajni Supyal, learned counsel for respondent nos. 2 and 3/ university.

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

1. Heard learned counsel for the petitioner, learned State Counsel and learned counsel for respondent nos.2 and 3.

2. The petitioner has prayed for a writ of mandamus commanding the respondents to extend her services as Guest Lecturer (Hindi) in the respondent-university till regular selection is made on the post of Assistant Professor (Hindi) in the university.

3. The petitioner was engaged as a guest faculty in pursuance of an advertisement / notification dated 05.03.2024. The appointment order is dated 03.07.2024 and it specifically mentions that appointment as guest faculty is under a purely temporary arrangement up to



31.12.2024 or till regular appointment is made, whichever is earlier.

4. It appears that after 31.12.2024, the appointment of the petitioner as guest faculty was extended for a further period of six months till June 2025.

5. Shri C.S. Rawat, learned counsel appearing on behalf of the university, on the basis of instructions, submits that during the extended tenure as guest faculty, the petitioner remained present only for 84 days and was absent for 96 days, which seriously impacted the studies. She was issued a show-cause notice in this regard on 21.04.2025 and to which she failed to give any satisfactory explanation. Consequently, her service as guest faculty was not extended beyond June 2025.

6. The submission is that appointment of the petitioner as guest faculty was under a temporary arrangement and since the work of the petitioner was not found to be satisfactory, therefore, it was dispensed with in terms of Clause 12 of the Agreement. Clause 12 of the Agreement is as follows:

"12. द्वितीय पक्ष द्वारा प्रथम पक्ष को प्रदत्त कार्य संतोषजनक न पाए जाने पर यह नियुक्ति बिना किसी पूर्व सूचना के समाप्त कर दी जाएगी।"

7. Here it would also be relevant to note Clause 4 of the Agreement between the parties, which is as follows:

"4. प्रथम पक्ष की नियुक्ति पर तैनाती को बिना किसी पूर्व सूचना के कभी भी द्वितीय पक्षकार द्वारा समाप्त किया जा सकता है, जिस हेतु प्रथम पक्षकार का कोई भी अधिकार अथवा दावा नहीं होगा।"



8. The appointment of the petitioner as guest faculty was under a purely temporary arrangement.

9. The extension of the term was on the basis of previous satisfactory service and since the petitioner was found to be absent for a considerable period, therefore, her term was not extended beyond June, 2025. Admittedly, she has not been working since thereafter.

10. The petitioner does not have any right to claim extension as a matter of course even though the service was not found to be satisfactory.

11. The petition lacks merit and is, accordingly, dismissed.

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

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 23.03.2026

ss