

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI MANOJ KUMAR GUPTA
AND
HON'BLE SRI JUSTICE SUBHASH UPADHYAY

WRIT PETITION (S/B) NO. 256 OF 2026

11TH MAY, 2026

Anupam Singh Petitioner

Versus

Principal Secretary, Energy
Department & others Respondents

WITH

WRIT PETITION (S/B) NO. 184 OF 2026

Anupam Singh Petitioner

Versus

Principal Secretary, Energy
Department & others Respondents

Counsel for the petitioner : Ms. Priyanka Agrawal, learned counsel

Counsel for the respondents : Mr. Puran Singh Bisht, learned Chief Standing Counsel with Mr. Gajendra Tripathi and Mr. Sachin Mohan Singh Mehta, learned Standing Counsels for the State / respondent No. 1

: Mr. Shobhit Saharia, learned counsel with Ms. Arushi Batra, learned counsel for respondent No2

: Mr. Dharmendra Barthwal, learned counsel for respondent No. 3

The Court made the following:

ORDER:

1. Under the amended Recruitment Rules, for a candidate to be eligible for recruitment to the post of

Director he should have held the post of Chief Engineer / General Manager, or any higher post in the Board of Directors, whereas under the earlier Rules a candidate should have had experience as General Manager / Chief Engineer, or any equivalent post, not essentially in the Board of Directors. The submission of learned counsel for the petitioner is that in PTCUL there is no post of General Manager / Chief Engineer in the Board of Directors and, consequently, the amended Rule will have the result of ousting the petitioner from the selection process.

2. Learned counsel for the petitioner has invited our attention towards the stand taken by the Principal Secretary, Energy, Government of Uttarakhand, Secretariat Dehradun in the counter-affidavit filed by him in WPSB No. 184 of 2026, wherein the same petitioner had challenged the advertisement issued in pursuance of the earlier Rules. Paragraph 7(b) of the said counter-affidavit, which is relevant, is extracted below :

“So far as the grievance regarding Level of Service condition is concerned, the petitioner is correct to the extent that no such post exists in the Board of Directors of the Corporation. The State most humbly submits that due to inadvertence an error has been committed in the Rules and the steps are being taken to correct the same. State will shortly come out with the correct position after removing the error.”

The submission is that the State itself admits that there is inadvertent error in the Rules notified and that

steps are being undertaken to correct the same. However, the respondents have not carried out any correction in the Rules so far and, on the other hand the petitioner apprehends that the respondents would issue fresh advertisement seriously affecting the right of the petitioner to participate in the selection process.

3. Having regard to the submission made, we require the Principal Secretary, Energy, to file his affidavit and clarify that what steps have been taken to correct error in the Rules and the time-frame within which the error would be corrected and to ensure that till the error is corrected no advertisement is issued for filling up the post of Director in PTCUL.

4. List on 25.05.2026, along with connected matter.

MANOJ KUMAR GUPTA, C.J.

SUBHASH UPADHYAY, J.

Dt: 11TH MAY, 2026
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