2026:UHC:7363-DB

HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

17th August, 2026

WRIT PETITION (S/B) NO.263 of 2026

Ajay Kumar ------Petitioner

Versus

State of Uttarakhand and Others .....Respondents

Presence:-

Mr. Anil Kumar Joshi and Mr. D.C.S. Rawat, learned counsel for the petitioner.
Mr. S.M.S. Mehta, learned Standing Counsel for the State.
Mr. Shiv Bhatt, learned counsel for the respondent nos.2 and 3.

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

1. The present writ petition is directed against the order of recovery dated 15.01.2026, issued by Managing Director, BRIDCUL, with regard to alleged negligence on part of the petitioner in preparation of DPR of certain project, resulting in losses to the department. The principal contention of the petitioner is that the Managing Director of BRIDCUL was not empowered to issue any such recovery, based on alleged misconduct, inasmuch as the power to punish was with the PWD, the parent department, and not BRIDCUL, where the petitioner was working as a deputationist.

2. Learned counsel for the parties have made joint statement that the present matter is covered by the order passed today in connected WPSB No.170 of 2026. The said writ petition was directed against the order of suspension passed against the petitioner by Managing Director, BRIDCUL, and the challenge to the order of suspension was on identical grounds.

3. Accordingly, the present writ petition is also

disposed of in same terms. The order of recovery dated 15.01.2026, passed by Managing Director, BRIDCUL, is hereby quashed. The PWD, which is the parent department of the petitioner, is given liberty to take decision with regard to recovery to be made, if any, from the petitioner.

4. Pending application(s), if any, also stand disposed of.

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 17.08.2026
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