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.487 of 2026

20th August, 2026

Dr. Ashok Singh Nagarkoti and Another -----Petitioners

Versus

Secretary, Ayush and Ayush Education and Others ----Respondents

---

Presence:-
Mr. S.S. Yadav, learned counsel for the petitioners.
Mr. B.P.S. Mer, learned Standing Counsel and Mr. Sachin Mohan Singh Mehta, learned Standing Counsel for the State of Uttarakhand/respondent nos.1 to 3.

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

1. Heard learned counsel for the parties.

2. The present writ petition has been filed praying for a writ of mandamus commanding respondent nos.1 to 3 to forthwith declare the annual transfer list for transfer of the Homeopathic Doctors working in the Department of Homeopathy.

3. The case of the petitioners, who are Homeopathic Doctors, is that they have submitted their option forms, as per provisions of the Transfer Act, 2017,

but so far the transfer list has not been issued.

4. Learned State Counsel has placed on record the instructions received from the State Government and, according to which, the Transfer Committee had forwarded its recommendation to the Government but the list could not be given final shape at the stage of the State Government.

5. Under the Transfer Act, the last date for issuing the list of annual transfers is 30.06.2026 and which, according to the learned counsel for the petitioner, was extended upto 30.07.2026 but, even by that time, the annual transfers could not be effected this year. The stand thus taken is that the present year has been declared as zero transfer session.

6. As the transfers could not be effected within the specified time frame and the State has come up with the stand that the current year has been declared as zero transfer year, therefore, the prayer made in the writ petition cannot be allowed. It is left open to the petitioners to submit their options for consideration during the process of annual transfers next year.

7. With the aforesaid liberty, the writ petition

stands disposed of.

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

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 20.08.2026
SS