



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 13035 of 2026

Srinivasan Gandhi

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Akhtar Ali
Counsel for Respondent(s)	:	C.S.C.

Court No. - 38

HON'BLE SIDDHARTH NANDAN, J.

1. This Court had taken cognizance of the impugned order dated 03.06.2025, which was issued in pursuance of the Government Order dated 15.04.2022 with respect to various medical colleges in the State of U.P. and the functioning of the Medical Department, which appears to be working in a most unsatisfactory manner. Instead of making regular appointments in the medical colleges, the impugned orders seek to replace ad hoc employees with other ad hoc employees. On the last occasion, a specific query was directed to be addressed by respondent no. 3, which is as follows:-

"(i) A chart giving details of "Head of the Departments" in various Medical Colleges in State of U.P., who have been appointed, (though they are having a designation of Associate Professor or Assistant Professor) on account of the fact, there are no 'Professors' in the Department, though there are existing vacancies.

(ii) The number of vacancies for the post of Professors, in all the Medical Colleges in the State of U.P., which are lying vacant.

(iii) Details of the requisition sent for filling up the post of Professors in various Medical Colleges, in the State of U.P.

(iv) Details of the advertisement, which has been issued for filling up the post of Professors of the various Medical Colleges and their current status; and also details of vacancies, for which no advertisement has been issued, inspite of the requisition sent; alongwith the reasons, for not advertising such vacancies.

(v) Whether the post of Principals, which has been shown, to be filled up by Officiating Principals, has been advertised or not?"

2. Today, when the matter was taken up, learned Standing Counsel submitted that he had received instructions and may be granted some time to file the personal affidavit of respondent no. 3. However, in response to a query by the Court, learned Standing Counsel placed his instructions regarding the functioning of the various Heads of Departments in 13 medical colleges and 2 Government Medical Institutions.

3. A bare perusal of the said list shocks the conscience of the Court, as in most of the Medical Colleges, there are hardly any professors functioning as Heads of Departments, and the same positions are being manned by Associate Professors in the majority of cases.

4. Apart from the same, certain Heads of Departments are working on a contractual basis. It gives an impression to the Court that the Medical Department is working in a most lethargic manner. Moreover, if the important departments of the medical colleges are being headed by Associate Professors, and that too on contractual basis, their accountability and functioning can be judged by the nature of their appointments.

5. This Court takes note of various medical colleges, such as the medical colleges at Kannauj, Azamgarh, Banda and Badaun, where more than 50% of the positions have been manned by Associate Professors.

6. It is also surprising that in the State Medical College, Prayagraj, important departments like Cardiology and Microbiology are also being manned by Heads of Departments who are Associate Professors. However, as a last opportunity to the State Government to make amends, this Court deems it appropriate to grant one last indulgence to respondent no. 3 to file his personal affidavit on or before 02.11.2026, specifically stating the number of vacancies for the post of Professor in various medical colleges and medical institutions in the State of U.P., and whether requisitions have been sent against the said vacancies.

7. It shall also be indicated in the affidavit whether, pursuant to the requisitions that have been sent, advertisements have been issued or not. In case advertisements have not been issued for appointments to the posts of Professors despite the requisitions, a specific explanation shall be

required, failing which this Court may take further steps to fix the accountability of the concerned officers.

8. This Court finds that in various departments, like Cardiology, Microbiology, Radiodiagnostics, Psychiatry, Endocrinology, Neurology and Neurosurgery, Associate Professors are functioning as Heads of Departments in the State Medical College, Prayagraj. The respondents shall ensure that requisitions, if not already sent, are sent and the same is brought on record in the affidavit to be filed by respondent no. 3. The affidavit shall specifically indicate whether advertisement has been made or not.

9. It is further provided that a chart shall be prepared and appended to the affidavit, specifically indicating those departments where an Associate Professor is working as a Head of the Department; and also those departments of every Medical College where Head of the Departments are working on contractual basis.

10. In view of the aforesaid, list this case on 03.11.2026 at 2.00 p.m.

11. Let a copy of this order be forthwith communicated to the respondent no.3 by the Registrar (Compliance).

(Siddharth Nandan,J.)

October 13, 2026

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