

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL
BENCH AT NAINITAL**

Present: Hon'ble Mr. Justice U.C.Dhyani

----- Chairman

Hon'ble Mr. Rajeev Gupta

-----Vice Chairman (A)

EXECUTION APPLICATION NO. 12/NB/DB/2019

(Arising out of judgment dated 09.04.2019, passed in Claim Petition No. 02/NB/DB/2018)

Harish Singh Kaira, S/o Late Sri Bir Singh Kaira, Presently posted as Stenographer, Office of the Advocate General, Uttarakhand High Court Campus, Nainital.

.....Petitioner

VERSUS

1. State of Uttarakhand through Secretary, Law, Government of Uttarakhand, Dehradun.
2. Advocate General, Uttarakhand having its Office at High Court Campus, Naintial.

.....Respondents.

Present: Sri Vinay Kumar, Advocate, for the petitioner
Sri Kishore Kumar, A.P.O., for the respondents

JUDGMENT

DATED: DECEMBER 09,2022

Justice U.C.Dhyani (Oral)

This Execution Application has been filed by the petitioner for ensuring compliance of the order dated 09.04.2019, passed by this Tribunal in Claim Petition No. 02/NB/DB/2018, operative portion of which reads as under:

“The claim petition is partly allowed. The prayer of the petitioner for granting the benefit of Bonus to him for the period July 2013 to September 2016 is not allowed and is rejected. Modifying the impugned order dated 15.12.2017, the respondent Nos. 1 and 2 are directed to grant other service benefits, pertaining to the post and to

allow and release the withheld increments of the petitioner from back date i.e. 28.08.2014 onwards.

Respondent No. 2 is also directed to consider the candidature of the petitioner for promotion to the post of Additional Private Secretary (APS), by holding a review DPC of DPC, by which the respondent No. 3 was considered and recommended for promotion, as per rules, instead of allowing temporary promotion of respondent No. 3 for indefinite period. Respondent No. 2 is also directed to complete the regular promotional exercise, as per the provisions of the concerned Service Rules, within a period of three months from the date of this order of the court, and the temporary promotion order dated 22.12.2014 of respondent No. 3, will become ineffective automatically after such period of three months from today with all its future consequences.

No order as to costs.”

2. Learned Counsel for the petitioner, as also learned A.P.O. submitted that the order dated 09.04.2019 has been complied with.

3. Since the order dated 09.04.2019, passed by this Tribunal in Claim Petition no. 02/NB/DB/2018 has been complied with, therefore, it will be of no use keeping the execution application pending. The same is, accordingly closed for full satisfaction.

(RAJEEV GUPTA)
VICE CHAIRMAN (A)

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: DECEMBER 09, 2022
DEHRADUN
KNP