

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL  
AT DEHRADUN**

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

----- Chairman

Hon'ble Mr. Rajeev Gupta

-----Vice Chairman (A)

**Claim Petition No. 110/DB/2023**

1. Kishori Lal, aged about 58 years, s/o late Sri Jagat Lal, r/o village Khand, P.O., Patta, District Uttarkashi.
2. Pyarelal, aged about 59 years, s/o late Sri Khima Nand, r/o village Sada, P.O. Mustick Gaur, District Uttarkashi.
3. Safri Lal Shri, aged about 60 years, s/o Sankhu Lal, r/o village Bhatia, District Uttarkashi.
4. Moolchand, aged about 60 years, s/o Rathi, r/o Fould Chakon, District Uttarkashi.
5. Bhadu Lal, aged about 60 years, late Sri Churia, r/o village Junga, District Uttarkashi.

.....Petitioner

versus

1. State of Uttarakhand, through Secretary, Forest, Government of Uttarakhand.
2. Department of Forest Conservation, through Chief Conservator of Forest, Dehradun.
3. Chief Conservator of Forest, Department of Forest Conservation, Dehradun.
4. Chief Forest Conservator, Human Resource Department and Personnel Management.
5. Managing Director, Uttarakhand Forest Development Corporation.

..... Respondents

Present: Sri Abhishek Chamoli and Sri M.C. Pant (*online*),  
Advocates, for the Petitioner  
Sri V.P. Devrani, A.P.O. for the Respondents

### **Judgement**

**Dated: 26<sup>th</sup> June, 2023**

#### **Justice U.C. Dhyani (Oral)**

By means of present claim petition, petitioners seek following reliefs:

“(i) Issue order, rule, declaration or direction directing the respondents to grant the petitioners the benefit of pay scale Rs. 5400 as per Government Order dated 06/09/2003 (A-6) from the date of initial appointment, subsequent promotion and grant them full reimbursement of financial loss till the present day keeping in view the facts highlighted in the body of the petition or to mould the relief appropriately keeping in view of the facts and circumstances of the case highlighted in the body of the petition.

(ii) To issue order or direction which this Hon'ble Tribunal may deem fit and proper in the circumstances of case in favour of the petitioner.

(iii) To award the cost of petition.”

2. Petitioners are Deputy Rangers in the Forest Department. As per the petition, they are entitled to 3<sup>rd</sup> A.C.P. *w.e.f.* 01.11.2015, which has not been paid to them even after several representations. One last representation was given on 04.10.2021 to Finance Controller of the department through respondent no. 2. The only innocuous prayer of the petitioner, at present, is that their representations may kindly be directed to be decided by respondent no. 2 through a reasoned and speaking order, in accordance with law.

3. Learned A.P.O. submitted that the claim petition is barred by limitation in view of Section 5(1)(b) of the U.P. Public Services (Tribunal) Act, 1976. He has, however, no objection if a direction is given to the Govt. (respondent no. 2) to decide representation of the petitioners, as per law.

4. Without prejudice to rival contentions, claim Petition is disposed of, at the admission stage, by directing respondent no. 2 to decide representation of the petitioners by a reasoned and speaking order, in accordance with law, without unreasonable delay, preferably within 08 weeks of presentation of certified copy of this order along with fresh representation. No order as to costs.

5. It is made clear that the Tribunal has not expressed any opinion on the merits of the case.

**(RAJEEV GUPTA)**  
VICE CHAIRMAN (A)

**(JUSTICE U.C.DHYANI)**  
CHAIRMAN

*DATE: 26<sup>th</sup> June, 2023*  
*DEHRADUN*  
*RS*