

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

Present: Hon'ble Mr. Rajendra Singh

----- Vice Chairman (J)

Hon'ble Mr. Rajeev Gupta

----- Vice Chairman (A)

CLAIM PETITION NO. 123/NB/DB/2023

Beena Gururani, aged about 58 years, w/o Shri Hemant Kumar Gururani, r/o 'Yogashish' Village Madanpur, Post Office Kishanpur, Golapar, Haldwani, District Nainital, Uttarakhand.

..... **Petitioner**

Vs

1. State of Uttarakhand through its Secretary, School Education, Government of Uttarakhand, Civil Secretariat, Dehradun.
2. Director, Secondary Education, Nanoorkhera, Dehradun, District Dehradun.
3. Additional Director, Secondary Education, Kumaon Region, Nainital, District Nainital.
4. Chief Education Officer, Nainital, District Nainital.
5. Finance Officer, Secondary Education, Nainital, District Nainital.
6. Principal, Sarswati Pandey, Government Girls Inter College, Bhimtal, District Nainital.

..... **Respondents**

Present: Sri D.S. Mehta, Advocate for the petitioner
Sri Kishore Kumar, A.P.O., for the State respondents

JUDGMENT

DATED: AUGUST 03, 2023

Mr. Rajeev Gupta, Vice Chairman (A) (Oral)

This claim petition has been filed seeking the following reliefs:

"i) to direct the respondent authority to release the arrears of revised pay scale and dearness allowances with 18%

interest thereon per annum for period from 01.01.2006 to 31.03.2009 to the petitioner and respondent authority be directed to take necessary step in correcting service record of the petitioner for upgrading pension and other retiral dues.

ii) to direct the respondent authority to pay award and compensation to the petitioner which this Hon'ble Tribunal may deem fit and proper under the facts and circumstances of the case towards the tortuous and malicious act of the respondent authorities/erring personnel who are instrumental in depriving and withholding the legitimate claim of the petitioner.

iii) to issue any other suitable order or direction which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

iv) to award the cost of the petition to the petitioner.”

2. Learned Counsel for the petitioner submits that the petitioner's representations are pending with the respondents and they have not been decided so far. During hearing, learned Counsel for the petitioner confines his prayer only to the extent that respondent no. 2 may be directed to decide pending representations of the petitioner within a limited time frame. Learned A.P.O. has no objection to such innocuous prayer of learned Counsel for the petitioner.

3. In view of the above, the Tribunal hereby directs that the petitioner shall make a fresh representation to the respondent no. 2 along with certified copy of this order within a period of one month from today and the same shall be decided by the respondent no. 2 by a reasoned and speaking order within a period of two months thereafter.

4. The claim petition is, accordingly disposed of at the admission stage itself. No order as to costs.

(RAJENDRA SINGH)
VICECHAIRMAN(J)

(RAJEEV GUPTA)
VICE CHAIRMAN (A)

DATE: AUGUST 03, 2023
DEHRADUN
KNP