

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

**CLAIM PETITION NO. 181/SB/2023**

Rajendra Singh Rawat (retd. ASI), aged about 60 years, s/o late Sri Shyam Singh Rawat, r/o House No. 33/11, Bhagirathi Enclave, Missarwala Kalan, Doiwala, District Dehradun.

.....Petitioner

versus

1. State of Uttarakhand through Secretary, Finance, Secretariat Dehradun, District Dehradun.
2. Finance Controller, Police Headquarters, Uttarakhand, Dehradun, District Dehradun.
3. Inspector General of Police (Personnel), Uttarakhand, Police Headquarters, Dehradun, District Dehradun.

..... Respondents

Present: Sri Prateek Kanojia, Advocate, for the Petitioner  
Sri V.P. Devrani, A.P.O., for the Respondents

**JUDGEMENT**

**Dated: 30<sup>th</sup> October, 2023**

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

By means of present claim petition, the petitioner has challenged pay fixation order dated 14.04.2016, which, according to him, is incorrect fixation, which requires to be corrected in the light of judgement dated 27.09.2018 rendered by Hon'ble High Court of Uttarakhand in WPSS No. 2876 of 2017, Raj Singh Negi vs. State of Uttarakhand and others, and connected writ petitions. Learned Counsel for the petitioner submitted that the subject matter of the present claim petition is covered by the decision rendered by the Hon'ble High Court on 13.08.2021 in WPSS No.

609 of 2020, Ramchandra Tomar vs. State of Uttarakhand and others, and connected writ petitions.

2. It is the submission of learned Counsel for the petitioner that the judgement dated 13.08.2021 has been complied with by the respondent department *vide* order dated 27.12.2021. A copy of such order has been filed with the claim petition.

3. Learned Counsel for the petitioner made an innocuous prayer that a direction be given to the respondent department to decide the representation of the petitioner in the light of aforesaid decisions of the Hon'ble High Court, which have been complied with by the respondent department and have thus attained finality. Learned Counsel for the petitioner further submitted that such a direction may be given by Single Bench of the Tribunal in view of the Schedule appended to the U.P. Public Services (Tribunal) Act, 1976 (as applicable to the State of Uttarakhand).

4. Learned A.P.O. has no objection, if a direction is given to respondent department to decide the representation of the petitioner, in accordance with law.

5. The Claim Petition is disposed of, at the admission stage, with the consent of learned Counsel for the parties, by directing respondent department to decide the representation of the petitioner by a reasoned and speaking order, in the light of above-noted decisions of the Hon'ble High Court of Uttarakhand, without unreasonable delay, preferably within 12 weeks of presentation of certified copy of this order along with representation enclosing the documents in support thereof. No order as to costs.

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

DATE: 30<sup>th</sup> October, 2023  
DEHRADUN  
RS