

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

CLAIM PETITION NO. 06/SB/2024

Sri Isam Singh, aged about 45 years, s/o Sri Hukam Singh, r/o Village Jalalpur Dada, Post Hallumajra, District Haridwar.

.....Petitioner

VS.

1. State of Uttarakhand through Secretary, (Irrigation), Government of Uttarakhand, Secretariat, Subhash Road, Dehradun.
2. Engineer-in-Chief, Department of Irrigation, Uttarakhand, Dehradun.

.....Respondents.

Present: Sri L.K.Maithani, Advocate, for the petitioner.
Sri V.P.Devrani, A.P.O., for the Respondent State.

JUDGMENT

DATED: JANUARY 17, 2024

Justice U.C.Dhyani (Oral)

Petitioner, while working as Assistant Engineer in the respondent department, was terminated from service *vide* order dated 31.05.2023 (Annexure: A-1) under “The Uttarakhand Temporary Government Servant (Termination of Service) Rules, 2003”. Impugned order dated 31.05.2023 (Annexure: A-1) was passed primarily on the ground that the petitioner did not possess valid B.Tech Degree. Petitioner moved representation dated 21.08.2023 (Annexure: A-4) against the impugned termination order, which is pending before Respondent No.1.

2. It is the submission of Ld. Counsel for the petitioner that petitioner was called for hearing *vide* order dated 18.09.2023, but the representation of the petitioner has not yet been decided by Respondent No.1.

3. It is the innocuous prayer of Ld. Counsel for the petitioner that a direction be given to Respondent No.1 to decide petitioner's pending representation, at the earliest, in accordance with law. He confined his prayer only to this extent, as of now. Ld. Counsel for the petitioner submitted that such an order can be passed by the Single Judge of the Tribunal. Innocuous prayer of Ld. Counsel for the petitioner is worth accepting.

4. The claim petition is disposed of, without admitting the same, with the consent of Ld. counsel for the parties, by directing Respondent No.1 to decide pending representation of the petitioner by a reasoned and speaking order, as per law, without unreasonable delay, on presentation of certified copy of this order along with representation, enclosing the documents in support thereof. No order as to costs.

5. Rival contentions are left open.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: JANUARY 17, 2024.
DEHRADUN

VM