

Dated 15.03.2021

**Claim Petition No. 26/DB/2021,
Narendra Kumar vs. State & others.**

Present: Sri M.C.Pant & Sri Abhishek Chamoli, Advocates,
for the Petitioner.
Sri V.P.Devrani,. A.P.O., for Respondents

By means of present claim petition, petitioner has sought the following reliefs:

- i. To direct the respondents to grant the petitioner promotion on the post of Junior Engineer (Mechanical), along with all the service benefits, on completion of eligibility, on the vacant post, w.e.f. 28.05.2016. and to direct the respondents to make all the service record available before the Tribunal and declare the act of respondents arbitrary and illegal.
- ii. To pass an appropriate order directing the respondents to convene DPC, forthwith for promotion of the petitioner and to grant him all the promotional as well as other service benefits, specifically respondents be directed to complete the entire promotional exercise before the date of superannuation of the petitioner.

Petitioner's representation to Senior Staff Officer (Personnel-02), Engineer-in-Chief, has been forwarded to Senior Staff Officer (Legal Cell) Irrigation Department, Uttarakhand, Dehradun *vide* Annexure: A -1, dated 18.01.2021. The representation is aimed at promotion of the petitioner to the post of Junior Engineer, Irrigation Department. The same is still pending at the level of Engineer-in-Chief, Legal Cell, Irrigation Department.

The prayer of the Id. Counsel for the petitioner is that the claim petition be disposed of by directing Engineer-in-Chief, Respondent No.2 to decide the pending representation of the petitioner, at an earliest possible, in accordance with law, keeping in view the fact that the petitioner is going to retire on 31.03.2021.

Ld. A.P.O. has no objection, if the representation is directed to be decided by the appropriate authority, in accordance with law.

The claim petition is, accordingly, disposed of at the admission stage, by directing Respondent No.2 to take a decision on the pending representation of the petitioner, forwarded with Annexure: A-1, by a reasoned and speaking order, at an

earliest possible, in accordance with law, keeping in view the fact that the date of superannuation of the petitioner is 31.03.2021.

Let a copy of this order be supplied to Ld. Counsel for the petitioner today itself, free of cost, to enable the petitioner to place a copy of this order and a copy of pending representation along with relevant documents, in the office of Respondent No.2, by 16.03.2021.

RAJEEV GUPTA
VICE CHAIRMAN (A)
VM

JUSTICE U.C.DHYANI
CHAIRMAN