

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

(Through audio conferencing).

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

----- Chairman

Hon'ble Mr. Rajeev Gupta

-----Vice Chairman (A)

CLAIM PETITION NO.44/DB/2021 .

Ravindra Singh Panwar, aged about 55 years S/o Late Sri B.S.Panwar, Siddharth Bihar, near Barighat Bridge, Rajpur Road, District Dehradun and others.

.....Petitioners

vs.

1. State of Uttarakhand through Secretary, Urban Development Department, Govt. of Uttarakhand, Secretariat, Subhash Road, Dehradun.
2. Director, Urban Development Department, Uttarakhand, Dehradun.

.....Respondents

Present: Dr. N.K.Pant, Advocate, the petitioners.

Sri V.P.Devrani, A.P.O., for the respondents.

JUDGMENT

DATED: JULY 14, 2021

Justice U.C.Dhyani (Oral)

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

“ a. Issue an order or direction for calling the records and to direct the respondents to dispose of the pending representation dated 16.11.2017, 13.11.2019 and 17.12.2020 for granting the similar benefits, as the respondent has granted to the four Junior Engineers, in the light of opinion given by the Law Department on dated 06.02.2017 and 23.02.2018.

b. Issue an order or direction to the respondents for granting all consequential service benefits from the date of his initial appointment, as

granted to the four Junior Engineers vide order dated 10.02.2017 and 09.11.2020.

c. Declare the act of respondent as very arbitrary, unjust and discriminatory, as well as against the principle of natural justice and in contravention of the Article 14 and 16 of the constitution of India.

d. Issue any other order or direction which this Hon'ble Tribunal may deem fit and proper in the circumstance of the case.

e. Award the cost of the claim petition in favour of the petitioners.”

2. The petitioners are posted as Addl. Junior Engineers in Urban Development Department. They are posted in different districts of Uttarakhand. The grievance of the petitioners is that, whereas services of four other similarly situated Addl. Junior Engineers have been regularized from the date of their initial appointments, services of the petitioners have not been (so regularized) despite representations.
3. Ld. Counsel for the petitioners has confined his prayer only to the extent that since petitioners' representations have not been decided so far, therefore, a direction be given to the respondents to decide such representations of the petitioners at an earliest possible, in accordance with law, to which Ld. A.P.O. has no objection.
4. Without prejudice to rival contentions, the claim petition is disposed of at the admission stage by directing Respondent No.1 to decide the pending representation dated 17.12.2020 of the petitioners by a reasoned and speaking order, in accordance with law, at an earliest possible but not later than 10 weeks of presentation of the certified copy of this order, along with copy of representation.
5. Needless to say that the decision so taken be communicated to the petitioners soon thereafter.
6. It is made clear that the Tribunal has not expressed any opinion on the merits of the claim petition.

(RAJEEV GUPTA)
VICE CHAIRMAN (A)

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: JULY 14,2021
DEHRADUN

VM