

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

CLAIM PETITION NO. 85/SB/2022

Sri Kunwar Ram Arya, aged about 65 years, s/o Sri Ganga Ram, r/o 8-B/F,
Lane No. 11 Jakhan, Bhagirathi Puram, Dehradun 248001.

.....Petitioner

vs.

1. The State of Uttarakhand through Secretary, Irrigation, Govt. of Uttarakhand, Secretariat, Subhash Road, Dehradun.
2. The Chief Engineer, Grade-II, Irrigation Department, Yamuna Nagar, Dehradun.
3. The Accountant General (Accounts & Entitlement), Dehradun.
4. The Director, Treasury and Pension, Dehradun.

.....Respondents

Present: Sri Abhishek Chamoli, Advocate, for the petitioner.
Sri V.P.Devrani, A.P.O., for Respondent No.1.

JUDGMENT

DATED: JULY 28, 2022

Justice U.C.Dhyani (Oral)

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

“(1) The Hon’ble Tribunal may kindly graciously be pleased to direct the respondents to pay the interest on delayed payment of Gratuity of Rs.1,47,940/- @ 10% per annum from the date of judgment of the Hon’ble Supreme Court i.e. from 02.09.2019 to 23.10.2021 when the actual payment was made to the petitioner. The delay was made by the respondents due to their deliberate error and mistake as the payment of Gratuity was sent by respondent to the Dy. Director, Pension and Haqdari, Dehradun as per Annexure: A-5 of the claim petition and after that on continuous and regular follow up, payment of Gratuity was made on 23.10.2021, therefore, interest is payable as per provision of law.

(ii) Any other relief as Hon'ble Court may deem fit-."

2. At the very outset, Ld. Counsel for the petitioner confined his prayer only to the extent that the petitioner's representation dated 25.05.2022 (Annexure: A-1) which was addressed to the Engineer-in-Chief, Irrigation Department and Chief Engineer Level-II, Irrigation Department (Respondent No.2), may kindly be directed to be decided by the respondents, at an earliest possible, in accordance with law. Ld. A.P.O. has no objection to such innocuous prayer.

3. The claim petition is, accordingly, disposed of at the admission stage, by directing Engineer-in-Chief, Irrigation Department and Chief Engineer Level-II, Irrigation Department (Respondent No.2) to decide the pending representation of the petitioner by a reasoned and speaking order, without unreasonable delay, in accordance with law, on presentation of certified copy of this order along with copy of the representation (Annexure: A-1), enclosing relevant documents. No order as to costs.

4. It is made clear that the Tribunal has not expressed any opinion on the merits of the case.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: JULY 28, 2022
DEHRADUN

VM