

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

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

----- Chairman

Hon'ble Mr. Rajeev Gupta

-----Vice Chairman (A)

Claim Petition No. 36/SB/2023

Surinder Kumar Bhatia, aged about 57 years, s/o Sri B.R. Bhatia, r/o Type IV/3, UPCL, V.C.V.G.S., Urja Bhawan, Dehradun- 248001.

.....Petitioner

versus

1. State of Uttarakhand through Secretary Energy, Civil Secretariat, Dehradun.
2. Managing Director, Uttarakhand Power Corporation Limited, V.C.V.G.S. Urja Bhawan, Kanwali Road, Dehradun.
3. General Manager, Human Resource, Uttarakhand Power Corporation Limited, V.C.V.G.S. Urja Bhawan, Kanwali Road, Dehradun.
4. Shri Chitra Singh, Sr. Accounts Officer, Uttarakhand Power Corporation Limited, V.C.V.G.S. Urja Bhawan, Kanwali Road, Dehradun.

..... Respondents

Present: Sri Anish Garg, Advocate, for the petitioner
Sri V.P. Devrani, Advocate, for respondent no. 1
Sri Manish Singh, Advocate, for respondents no. 2, 3 & 4
(online)

Judgement

Dated: 21st February, 2023

Justice U.C. Dhyani (Oral)

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

“(i) To issue order or direction commanding the respondents to comply with the OM No. 3758 dated 09.09.2022 and pay the medical claim amount of Rs 36,337/- incurred in physiotherapy treatment of the petitioner.

(ii) To issue, order or direction commanding the respondent to pay the salary to the petitioner for the period of 09.01.2023 to 23.01.2023 and re-imburement of conveyance allowance as per OM No. 2114, dated 04-08-2020 for the month of January, 2023 amounting to Rs. 16,500/-, which has been illegally deducted/held by the respondent No. 4.

(iii) Any other suitable writ, order or direction which this Hon'ble court may deem fit and proper in the circumstances of the case.

(iv) Award the cost of petition to the petitioner. Any other relief which the court deemed fit and proper in the circumstances of the case.”

2. It is the submission of learned Counsel for the petitioner that Superintending Engineer, Uttarakhand Power Corporation Limited, has already issued office memorandum no. 3758 *nide (ma sa)/upakali/anuka ji/ am-1* dated 09.09.2022 (Annexure: A1), whereby the medical claim of the petitioner for Rs. 36,337/- was sanctioned. Still the expenses incurred by the petitioner in his physiotherapy treatment have not been reimbursed to him.

3. It is also the submission of learned Counsel for the petitioner that petitioner's salary for the period 09.01.2023 to 23.01.2023 has been withheld by the respondent-corporation, for no reason.

4. It is further submitted by learned Counsel for the petitioner that conveyance allowance for the month of January, 2023, amounting to Rs. 16,500/- as per O.M. No. 2114 dated 04.08.2020 has been illegally withheld by respondent no. 4.

5. Learned Counsel for the petitioner, therefore, humbly submitted that the petitioner shall make a representation to respondent no. 2 ventilating his grievances, as have been mentioned in this claim petition. Learned Counsel for the petitioner prays that a direction be given to respondent no. 2 to decide the representation of the petitioner in a time bound manner, as per law, to which learned A.P.O. (representing respondent no. 1) and Sri Manish Singh (representing respondents no. 2, 3 & 4) have no objection.

6. The claim petition is disposed of, at the admission stage, by directing respondent no. 2 to decide the representation of the petitioner by a reasoned and speaking order, in accordance with law, at the earliest, preferably within 8 weeks of presentation of certified copy of this order, along with representation. No order as to costs.

(RAJEEV GUPTA)
VICE CHAIRMAN (A)

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: 21st February, 2023

DEHRADUN

RS