

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL
BENCH AT NAINITAL**

Present: Hon'ble Mr. Rajendra Singh

-----Vice Chairman (J)

CLAIM PETITION NO. 151/NB/SB/2022

Jagat Singh Dhanik (Male) aged about 63 years, S/o Prahlad Singh Dhanik
R/o Byura Kham, Kathgodam, District Nainital.

..... Petitioner

Versus

1. State of Uttarakhand through its Principal Secretary Forest, Secretariat, Dehradun.
2. Conservator of Forest, South Kumaun Circle, Nainital.
3. Finance Controller, Principal Chief Conservator Office, Uttarakhand, Dehradun.
4. Divisional Forest Officer, Nainital Forest Division, Nainital.
5. Accountant General (Account and Entitlement), Mahalekhakar Bhawan, Kalagarh, Dehradun.

..... Respondents

Present: Sri I. D. Paliwal, Advocate for the petitioner
Sri Kishore Kumar, A.P.O. for the respondents No. 1 to 4
Sri Rajesh Sharma, Advocate for the respondent No. 5

ORDER

DATED : APRIL 23, 2024

This claim petition has been filed seeking the following reliefs:

“ In view of the fact mentioned in para 1 of the petition this Hon'ble Tribunal may most graciously be pleased to (i) quash the impugned letter dated 2.7.2021 issued by respondent no. 5 (contained as Annexure No. 1 to this claim petition).

(ii) issue direction to the respondents to pay the amount of interest which was incurred during 31.8.2018 to December 2020 i.e. Rs. 80,669.00 and further the amount increased time to time as per Payment of Gratuity Act.

(iii) *issue any other or further writ, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case.*

(iv) *to award the cost of the petition in favour of the petitioner."*

2. At the time of final arguments, learned Counsel for the petitioner confined his prayer to the extent that he will make a fresh detailed representation to the respondent No. 4 (Divisional Forest Officer, Nainital Forest Division, Nainital) in the light of Annexure Nos. 1 & 5, these letters issued by Senior Account Officer from the office of respondent No. 5 in favour of Divisional Forest Officer, Nainital Forest Division, Nainital, namely, 02.07.2021 and 04.02.2020, who may kindly be directed to decide the same within the specific time framed by a reasoned and speaking order.

3. Learned A.P.O. has no objection to the prayer of the learned Counsel for the petitioner.

4. In view of peculiar circumstances of the case, the Tribunal hereby directs to the petitioner, who will make a fresh detailed representation to the respondent No. 4 (Divisional Forest Officer, Nainital Forest Division, Nainital) within a period of 15 days alongwith certified copy of this order with Annexure Nos. 1 & 5 of the claim petition and the respondent No. 4 (Divisional Forest Officer, Nainital Forest Division, Nainital) shall decide the same in the light of Annexure Nos. 1 & 5 by a reasoned and speaking order and if he finds substance in the matter of the petitioner the remaining GPF interest bill be prepared and the same shall be released to the petitioner within a period of three months thereafter.

5. The claim petition is disposed of as above. No order as to costs.

(RAJENDRA SINGH)
VICE CHAIRMAN (J)

DATE : APRIL 23, 2024
NAINITAL