

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

CLAIM PETITION NO. 157/SB/2023

Sanjay Kumar, aged about 48 years, s/o Sri Anand Prakash, r/o Chaw Mandi, Roorkee, District Haridwar, Engineer (suspended) Zila Panchayat Uttarkashi, District Uttarkashi.

.....Petitioner

VS.

1. State of Uttarakhand through Secretary, Panchayati Raj Department, Dehradun.
2. Zila Panchayat, Uttarkashi through its Apar Mukhya Adhikari, Uttarkashi, District Uttarkashi.

.....Respondents.

Present: Sri Sandeep Kothari, Advocate, for the petitioner. (online)
Sri V.P.Devrani, A.P.O., for the Respondents.

JUDGMENT

DATED: MAY 24, 2024

Justice U.C.Dhyani (Oral)

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

- “i) To quash the suspension order dated 7th January, 2022 passed by the respondent (Annexure No.1).
- ii) To award the cost of the petition and compensation or to pass any such order or direction which this Hon’ble Tribunal may deem fit and proper.

iii) Award costs of the petition to the petitioner.”

2. It has been mentioned in Para 01 of the claim petition that for the same relief petitioner approached the Hon'ble High Court, who was pleased to dispose of the writ petition being WPSB No. 390/2023 *vide* order dated 24.08.2023, by dismissing the writ petition for want of alternative remedy and by directing the petitioner to approach the Public Services Tribunal.

3. Accordingly, the petitioner has preferred present claim petition.

4. In para 09 of the claim petition (internal pg. no. 25), a prayer was made to stay the effect and operation of the impugned suspension order dated 07.01.2022, passed by the respondent, during pendency of present claim petition. But, it was observed by the Tribunal *vide* order dated 01.09.2023 that- “Tribunal is unable to pass any order on interim relief,in terms of Section 5(5-B) of the Act of 1976].”

5. Today, Ld. Counsel for the petitioner submitted that suspension of the petitioner has been revoked, which was primary relief in present claim petition, therefore, claim petition has rendered infructuous. The claim petition may be disposed of, accordingly.

6. Ld. counsel for the petitioner submitted that such an order may be passed by Single Bench of the Tribunal.

7. **The claim petition is dismissed as infructuous.**

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: MAY 24, 2024.
DEHRADUN

VM