

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

CLAIM PETITION NO. 170/SB/2023

1. Sri Padam Das, aged about 56 years, s/o Sri Dhanju, Ward No. 05, Street No. 15, Near Ice Factory, Rambagh, Athan Bagh, Dehradun, Uttarakhand.
2. Sri Mohan Singh, aged about 56 years, s/o Sri Jot Singh, r/o 80 Kansi, Bagasu, Uttarkashi, Uttarakhand.
3. Sri Sateshwar Prasad Lohani, aged about 59 years, s/o Sri Tara Dutt, r/o Guradi, Naitwar, Uttarkashi, Uttarakhand.
4. Sri Markandi Prasad, aged about 58 years, s/o Sri Taji Ram, r/o Painsar, Naitwar, Uttarkashi, Uttarakhand.
5. Sri Narendra Singh Rawat, aged about 67 years, s/o Sri Mohan Singh Rawat, r/o Adarsh Colony, Kesharbagh, Babugarh, Vikkasnagar, Dehradun, Uttarakhand.
6. Sri Ajeet Kumar, aged about 34 years, s/o Sri Joban Das, r/o Pragati Vihar, Dehradun, Uttarakhand.

.....Petitioners

VS.

1. State of Uttarakhand through Head of Forest Force (HoFF), 85, Rajpur Road, Dehradun, Uttarakhand.
2. Uttarakhand Forest Development Corporation through Managing Director, Aranya Vikas Bhawan, 73 Nehru Road, Dehradun, Uttarakhand.

.....Respondents.

Present: Sri Abhijay Negi, Advocate, for the petitioners. (online)
Sri V.P.Devrani, A.P.O., for the Respondent No.1.
Sri Manish Kumar Singh, Advocate, for Respondent No.2 (online)

JUDGMENT

DATED: MAY 29, 2024

Justice U.C.Dhyani (Oral)

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

“1) Issue an order or direction to quash the suspension order dated 24.08.2023 (Annexure No.5) which has been passed without considering the response to the show cause notice dated 23.08.2023, without considering/ waiting for and being contrary to Rule 4(1) of the Uttarakhand Public Servant (Discipline and Appeal) Rules, 2003 (Annexure No. 6) and contrary to the G.O. dated 23.01.2003 (Annexure No.7)

2) Issue an order or direction commanding the respondent Uttarakhand Forest Development Corporation to deal with the contents of the response dated 28.08.2023 (Annexure No. 4) as authored by the claimants before deciding on any suspension/ disciplinary proceedings against him.

3) Pass any other order that this Hon'ble Court may deem fit in the interest of justice, equity and good conscience.”

2. In a nutshell, petitioners have sought quashing of suspension order dated 24.08.2023 (Annexure: 5) on the grounds which have been mentioned in the text of the claim petition (Pg. No. 16, Ground- A to I).

3. Copy of Revocation of Suspension Order No. E-4291/ *Anushasanik Karyawahi* dated 25.01.2024, issued by Sri Sher Singh, Regional Manager HQ, Uttarakhand Forest Development Corporation, has been placed before the Tribunal to show that the suspension of petitioners has been revoked. Such order has been endorsed to the employees concerned also. Copy of revocation of suspension order dated 25.01.2024 is taken on record.

4. Suspension of the petitioners has been revoked, therefore, the very purpose of filing present claim petition has been achieved. Claim

petition has rendered infructuous. The same may be dismissed as infructuous.

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

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

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: MAY 29, 2024.
DEHRADUN

VM