

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

CLAIM PETITION NO. 49/SB/2024

Dr. Parmila Rani, aged about 42 years, w/o Vikas, r/o Harjauli Jat District Haridwar, Uttarakhand, posted as Lecturer and Acting Principal Government Inter College, Bulhar, Chakrata Dehradun.

.....Petitioner

versus

1. State of Uttarakhand through Secretary, School Education, Civil Secretariat, Dehradun.
2. Director, Secondary Education, Nanoorkhera, Dehradun.
3. Divisional Additional Director, Secondary Education, Garhwal Division, Pauri.
4. Chief Education Officer, District Dehradun.
5. Block Education Officer, Chakrata, District Dehradun.

..... Respondents

Present: Sri Prateek Kanojia and Ramandeep Singh, Advocates,
for the Petitioner
Sri V.P. Devrani, A.P.O., for the Respondent

JUDGEMENT

Dated: 04th June, 2024

Justice U.C. Dhyani (Oral)

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

“(i) Issue an order or direction to quash the impugned order dated 04.04.2024 (Annexure No. 4) issued by the Respondent No. 4 and impugned order dated 01.05.2024 (Annexure No. 7) issued by Respondent No. 5.

(ii) Issue an order or direction in the nature of justice directing the respondents to decide the seniority of the lecturers working in GIC,

Bulhar, Chakrata, Dehradun as per Rule 6, 7 and 8 of Uttarakhand Government Servants Seniority Rules, 2002.

(iii) Issue any other relief, which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case be passed in favour of the petitioner.

(iv) Issue an order or direction to the respondents to not to interfere the petitioner to perform her duties on the post of Acting Principal till seniority is decided.

(v) Cost of the petition be awarded in favour of the petitioner.”

2. It is the submission of learned Counsel for the petitioner that the petitioner moved several representations to respondent no. 2, including the last one on 06.04.2024, mentioning all the rules governing the seniority and seeking directions from the said authority to decide the seniority of the Lecturers working in GIC, Bulhar, Chakrata Dehradun, on the basis of rules prescribed in Uttarakhand Government Servants Seniority Rules, 2002, but there is no response from the said authority so far. A Copy of representation dated 06.04.2024 submitted by the petitioner to respondent no. 2 has been enclosed as Annexure No. 5 to present claim petition.

3. Learned Counsel for the petitioner, at this juncture, submitted that the claim petition may be disposed of by directing respondent no. 2 to decide the representation of the petitioner, as quickly as possible, by passing a reasoned and speaking order.

4. In reply, Sri V.P. Devrani, learned A.P.O. submitted that the respondents have no objection if a direction is given to respondent no. 2 to decide the representation of the petitioner, in accordance with law.

5. Both, learned Counsel for the petitioner and learned A.P.O., submitted that the petition may be disposed of at the admission stage by directing respondent no. 2 to decide the representation of the petitioner, as per law.

6. Learned Counsel for the parties also submitted that such a direction may be given by Single Bench of the Tribunal.

7. Without prejudice to the rival contentions, the Claim Petition is disposed of, at the admission stage, with the consent of learned Counsel for the parties, by directing respondent no. 2 to decide the representation of the petitioner by a reasoned and speaking order, in accordance with law, as expeditiously as possible, without unreasonable delay, on presentation of certified copy of this order along with representation enclosing the documents in support thereof. No order as to costs.

(JUSTICE U.C. DHYANI)
CHAIRMAN

DATE: 04th June. 2024
DEHRADUN
RS