

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

CLAIM PETITION NO. 45/SB/2024

Govind Singh Koundal, s/o Sri Sardar Singh Koundal, aged about 45 years, r/o C-10 1st Floor, P.C. Centre Point Estate, Ajabpur Kalan, Dehradun, Distt. Dehradun, posted as Assistant Engineer Provincial Division, P.W.D., Dehradun, Uttarakhand.

.....Petitioner

vs.

1. State of Uttarakhand through Secretary, Public Works Department, Dehradun.
2. Engineer-in-Chief, Head of the Department, Public Works Department, Yamuna Colony, Dehradun.
3. Uttarakhand Public Service Commission, through its Secretary, Gurukul Kangari, Haridwar.
4. Manoj Kumar Rathore, presently posted as Assistant Engineer, National Highway Division, Doiwala, Dehradun.

.....Respondents

(Virtually)

Present: Sri Sandeep Kothari, Advocate, for the petitioner.

Sri V.P. Devrani, A.P.O. for the Respondents No. 1 & 2

Notices have not been issued to Respondents No. 3 & 4.

JUDGMENT

DATED: JUNE 03, 2024

Justice U.C.Dhyani (Oral)

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

“a. To direct the respondents to consider the case of the claimant/petitioner for promotion on the post of Assistant Engineer w.e.f

25.06.2018 and further all consequential benefits be granted to him treating him to be promoted on the aforesaid post w.e.f 25.06.2018.

b. To direct the claimant petitioner to place at serial no 589A in the seniority list of Assistant Engineer inasmuch as the respondent no.4 who is placed at St No. 590 is Junior to the claimant/petitioner in the feeding cadre and further has been promoted for subsequent recruitment year 2019-20 on the post of Assistant Engineer.

c. 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.

d. Award costs of the petition to the claimant.”

2. Petitioner has filed affidavit in support of the claim petition.
3. Relevant documents have also been filed along with the claim petition.
4. Petitioner first approached the Hon'ble High Court, who was pleased to dismiss the writ petition being WPSB No. 52/2024 *vide* order dated 16.02.2024, on the ground of alternative remedy with liberty to the petitioner to approach appropriate forum. (Copy of order: Annexure-1)
5. Ld. Counsel for the petitioner submitted that there is urgency in the matter. The petitioner will make representations to Respondents No. 1 & 2, highlighting his grievances, which have been mentioned in the claim petition itself. Respondents No. 1 & 2 may kindly be directed to decide the representation of the petitioner by a speaking order, as quickly as possible. Ld. A.P.O. has no objection to such innocuous prayer, if a direction is given to Respondents No. 1 & 2 to decide the representation of the petitioner, in accordance with law.
6. Ld. counsel for the petitioner submitted that such direction may be given by Single Bench of the Tribunal. Ld. A.P.O. agrees with such legal proposition.
7. The claim petition is disposed of, at the admission stage, with the consent of Ld. counsel for the parties, by directing Respondents No.1 & 2 to decide the representation of the petitioner, by a reasoned and speaking

order, as per law, at the earliest, 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.

8. Rival contentions are left open.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: JUNE 03, 2024.
DEHRADUN

VM