

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

CLAIM PETITION NO. 18/SB/2019

1. Smt. Shweta Dinkar Rautela, w/o Sri Dinkar Rautela, r/o Quarter No.-1, Type-III, Urja Bhawan, Kanwali Road, Dehradun.
2. Smt. Meenakshi Khanna, w/o Sri Nikhil Khanna, r/o 39 Narendra Vihar Extension, Kaulagarh Road, Opposite Sirmour Road, Dehradun.
3. Ms. Jaipriya, d/o Sri Rajkumar Arya, r/o Quarter No.-2, Type-III, Urja Bhawan, Kanwali Road, Dehradun.
4. Smt. Neha Singh, w/o Sri Mayank Mehndiratta, r/o House No. 176, Lane No. 6, Ramnagar, Roorkee.
5. Smt. Parul Sahu, w/o Sri Maneesh Kumar, r/o House No. P-25, Shivalik Nagar, BHEL, Ranipur, Haridwar.
6. Ms. Monika Chunera, d/o Sri K.R. Chunera, r/o 137/ 5, Meghadoot Enclave, Kalidas Road, Dehradun.
7. Smt. Niti Vishesh, w/o Sri Vishesh Kumar c/o Sri B.M.Sharma, r/o Flat No. – A 305, Rock Valley Residence, Niranjapur, Dehradun.
8. Smt. Shilpi Saini, w/o Sri Ravikant Saini, r/o EH-19, Sector-6, BHEL, Haridwar.
9. Ms. Jyotsna Shreshta, d/o Shri M.B. Pradhan, r/o 61 Hathibarkala, Dehradun.

.....Petitioner

VS.

1. State of Uttarakhand through Secretary, Department of Energy, Secretariat, Subhash Road, Dehradun.
2. Uttarakhand Power Corporation Ltd. Through its Managing Director, Urja Bhawan, Kanwali Road, Dehradun.
3. Director (HR), Uttarakhand Power Corporation, Urja Bhawan, Kanwali Road, Dehradun.
4. Sri Dashrath Singh Chaudhary, s/o Sri Dignpal Singh, r/o Srikot, Gangnali, Near UJVNL Guest House, Srinagar, Garhwal.
5. Sri Surendra Singh Bisht, s/o Sri Kamal Singh, posted as Executive Engineer, Electricity Test Division, Near Awas Vikas, Kashipur, district Udham Singh Nagar.
6. Sri Kishore Kumar Pant, s/o Sri Ram Dutt Pant, posted as Executive Engineer, Electricity Distribution Circle, Haldwani, District Nainital.

7. Sri Vineet Kumar Saxena, s/o Sri S.M. Lal Saxena, posted as Executive Engineer (A), Electricity Distribution Circle, Near Police Line, Roshnabad, Haridwar.
8. Sri Mahendra Sijng (Retd.), s/o Sri Asha Ram, r/o B-50, Pashulok Barrage Colony, Rishikesh, Dehradun.

.....Respondents.

Present: Sri L.K.Maithani, Advocate, for the petitioner.
Sri V.P.Devrani, A.P.O., for the Respondents.
Sri S.C. Virmani (online) & Sri S.K.Jain, Advocates,
for Respondents No. 2 & 3.
Sri I.P.Gairola, Advocate, for private respondents (online)

JUDGMENT

DATED: JULY 04, 2024

Justice U.C.Dhyani (Oral)

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

- “a) To set aside/quash the promotion orders dated 16/05/2018 issued by the Respondent No 1 promoting the respondents No 4 to 8;*
- b) To direct the respondents not to act on and grant any promotions on the basis of tentative seniority list dated 06/05/2017 issued by the Respondent No 1;*
- c) To set aside and quash the tentative seniority list dated 06/05/2017 and direct the respondents to draw a fresh tentative seniority list after considering the representations made by the applicant and by placing the applicants in the selection year 2008 - 2009 and by following the principle of rotation of quota as enshrined in Rule 8 (3) of Seniority Regulations 1998;*

d) To pass any other order/orders, direction/directions that may be deemed fit and proper in the facts and circumstances of the present case.

e) Award the cost of the present petition in favour of the applicants.”

2. The claim petition is supported by the affidavit of petitioner. Relevant documents have been filed along with the claim petition.

3. Present claim petition was kept pending for disposal before this Tribunal because Ld. Counsel for the parties had stated, on a number of occasions, that similar controversy, which is involved in present claim petition, is pending adjudication before Hon’ble High Court in WPSB No. 579/ 2017 and connected writ petitions. They submitted that present claim petition shall abide by the orders of Hon’ble Court in pending writ petitions.

4. Copy of order dated 27.06.2024, uploaded on the website of the Hon’ble High Court of Uttarakhand, has been placed before the Tribunal. The same reads as under:

“Mr. C.D. Bahuguna, learned Senior Advocate, Mr. Avtar Singh Rawat, learned Senior Advocate assisted by Mr. Dharmendra Barthwal, learned counsel Mr. Bhagwat Mehra, learned counsel, for the Uttarakhand Power Corporation Ltd.

2. Mr. Piyush Garg, learned counsel for the petitioners in WPSB No.451 of 2016, WPSB No. 130 of 2017, WPSB No. 550 of 2017 and WPSB No. 563 of 2017.

3. Mr. M.C. Pant, learned counsel for the petitioners in WPSB No. 543 of 2017.

4. Ms. Priyanka Agrawal, learned counsel for the petitioners in WPSB No. 554 of 2017 and WPSB No. 579 of 2017.

5. Mr. Shashank Pandey, learned counsel, for the respondent in WPSB No.550 of 2017.

6. Mr. Rajendra Dobhal, learned senior counsel assisted by Mr. I.P. Gairola, learned counsel, with Mr. Bhupesh Kandpal, learned counsel, for the respondent.

7. Mr. K.N. Joshi, learned DAG, for the State.

8. Writ petitions are allowed. Detail judgment to Follow.

(Alok Kumar Verma, J)

(Ritu Bahri, CJ)

27.06.2024”

5. Since the controversy involved in present claim petition has been decided by the Hon'ble High Court *vide* order dated 27.06.2024 in WPSB No. 579/ 2017 and connected writ petitions, therefore, the present claim petition is disposed of in terms of the said judgment of the Hon'ble High Court.

6. Such an order may be passed by Single Bench of the Tribunal.

7. The claim petition is disposed of in terms of the judgment/ order dated 27.06.2024 passed by Hon'ble High Court of Uttarakhand in WPSB No. 579/ 2017 and connected writ petitions.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: JULY 04, 2024.
DEHRADUN

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