

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL  
BENCH AT NAINITAL**

Present: Hon'ble Mr. Rajendra Singh  
.....Vice Chairman (J)  
&  
Hon'ble Mr. A.S.Rawat  
.....Vice Chairman(A)

**CLAIM PETITION NO. 21/NB/DB/2021**

1. Ashhar Adil Hashmi, aged about 58 years, s/o Sri G.S. Hashmi, presently serving as Principal, Government Girls Polytechnic Almora, District Almora.
2. Shafiq Ahmad Siddqui, aged about 59 years, s/o Sri Tufail Ahmad Siddiqui, presently serving as Principal, Government Polytechnic, Srinagar, District Pauri Garhwal.
3. Deep Chandra Gupta, aged about 57 years, s/o Late Sri Ramm Milan Gupta, retired Principal, Government Polytechnic, presently r/o F.S., B-Block, Shivalik Apartment, Kishnapur, Canal Road, Dehradun.

**.....Petitioners**

VS.

1. State of Uttarakhand through Secretary, Technical Education Department, Government of Uttarakhand, Dehradun.
2. Director, Technical Education, Uttarakhand, Srinagar, District Pauri Garhwal.

**.....Respondents**

Present: Sri Bhagwat Mehra, Advocate for the petitioner  
Sri Kishore Kumar, A.P.O., for the respondents

**JUDGMENT**

**DATED: 27.08.2024**

The petitioner has filed this claim petition for the following reliefs:

*"I. To declare the inaction on the part of the Respondents in the matter, as arbitrary and illegal.*

*II. To direct the Respondents to forthwith grant the benefit of Selection Grade of Pay/Time Scale to the petitioners in the Pay Scale of Rs. 3000-4500 (which was revised to Rs. 10000-15200 w.e.f. 01.01.1996) on completion of 08 years continuous satisfactory service, from due date after counting the ad-hoc services rendered by them on the post of Lecturer, Government Polytechnic.*

*III. To direct the Respondents to accordingly revise and grant all the consequential benefits, including Second and Third ACP of the petitioners from due date.*

*IV. To direct the Respondents to grant all consequential benefits to the petitioners.*

*V. To pass any other suitable order as this Hon'ble Tribunal may deem fit and proper.*

2. It is the submission of learned Counsel for the petitioners that the respondents were not granted the benefit of selection grade of pay after completion of 08 years of continuous satisfactory service from 1987. The petitioners moved several representations to the authorities concerned. When no action was taken on the representation of the petitioners, lastly, petitioner no. 2 again submitted a representation dated 08.06.2020 to the respondent no. 2, which is still pending.

3. After hearing learned Counsel for the parties at some length, learned Counsel for the petitioner confined his prayer to the extent that he will move a detailed fresh representation to the Respondent no. 1 endorsing copy of the same to respondent no. 2, stating all the facts, which may kindly be directed to be decided by the Respondent no.1 (Secretary, Technical Education Department, Govt. of Uttarakhand, Dehradun) within a stipulated time, by reasoned and speaking order.

4. Learned A.P.O. has no objection to the innocuous prayer of learned Counsel for the petitioners.

5. In view of the above, the petitioner shall move a detained fresh representation to the Respondent no.1 (Secretary, Technical Education Department, Govt. of Uttarakhand, Dehradun) enclosing copy of the same to respondent no. 2 within 15 days and the Respondent no. 1 shall decide the representation of the petitioners by a reasoned and speaking order within four months, from the date of presentation of certified copy of this order along with fresh representation.

6. Accordingly, the claim petition is disposed of. No order as to costs.

A.S.RAWAT  
VICE CHAIRMAN (A)

RAJENDRA SINGH  
VICE CHAIRMAN (J)

DATED: AUGUST 27, 2024  
NAINITAL.  
KNP