

**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. 25/NB/DB/2024**

Dinesh Chandra Joshi, aged about 51 years, s/o Late Sri Mehar Chandra Joshi, at present Assistant Block Development Officer (In-Charge Block Development Officer), Naugaon, District Uttarkashi, c/o Sri Naveen Semwal, Govt. Polytechnic, Didihat, District Pithoragarh.

.....**Petitioner**

vs.

1. State of Uttarakhand through Secretary, Rural Development Department, Govt. of Uttarakhand, Dehradun.
2. Commissioner, Rural Development Department, Uttarakhand, Pauri, District Pauri.
3. Uttarakhand Public Service Commission, Gurukul Kangari, Haridwar through its Secretary.

.....Respondent

s

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

**JUDGMENT**

**DATED: 28.08.2024**

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

*“A. To declare the action of the Respondents in not promoting the petitioner to the post of Block Development Officer from due date i.e. 27.08.2021 and the action of adopting the sealed cover procedure in the matter, as arbitrary and illegal.*

*B. To direct the Respondents, particularly Respondent no. 1 to consider and promote the petitioner to the post of Block Development Officer from due date, (particularly from 27.08.2021) along with all consequential benefits.*

*C. To issue any other order or direction, which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.*

*D. Award the cost of the Claim petition in favour of the petitioner."*

2. At the time of hearing on admission, 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 copies of the same to respondents no. 2 & 3, stating all the facts, which may kindly be directed to be decided by the Respondent no.1 (Secretary, Rural Development Department, Govt. of Uttarakhand, Dehradun) within a stipulated time by reasoned and speaking order.

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

4. In view of the above, the petitioner shall move a detained fresh representation to the Respondent no.1 (Secretary, Rural Development Department, Govt. of Uttarakhand, Dehradun) enclosing copies of the same to respondents no. 2 & 3 within 15 days and the Respondent no. 1 shall decide the representation of the petitioner by a reasoned and speaking order within four months, from the date of presentation of certified copy of this order along with fresh representation.

5. Accordingly, the claim petition is disposed of at the admission stage. No order as to costs.

A.S.RAWAT  
VICE CHAIRMAN (A)

RAJENDRA SINGH  
VICE CHAIRMAN (J)

*DATED: AUGUST 28, 2024*  
*NAINITAL.*  
*KNP*