

**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. 104/NB/DB/2021

Naveen Chandra Pant, s/o Sri Bhuwan Chandra Pant, presently serving as Assistant Teacher (Hindi), Junior High School, Bhattgaon, P.O. Gangolihat, District Pithoragarh.

.....Petitioner

vs.

1. State of Uttarakhand through Secretary, Education, Government of Uttarakhand, Dehradun.
2. Director (Elementary Education), Kumaon Mandal, Nainital.
3. Additional Director (Elementary Education), Kumaon Mandal, Nainital.
4. District Education Officer (Elementary Education), Pithoragarh.

.....Respondents

(Virtual)

Present: Sri Maneesh Bisht, Advocate for the petitioner
Sri Kishore Kumar, A.P.O., for the respondents

JUDGMENT

DATED: 18.09.2024

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

- i) To issue order or direction, directing the respondents to promote the applicant as Principal, Junior High School, as the juniors of the applicant have already been promoted to same, bypassing the seniority of applicant.*
- ii) To issue any other order or direction, which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.*
- iii) To award the cost of the petition in favour of the applicant.*

2. During course of arguments, learned Counsel for the petitioner submitted that the petitioner is not claiming seniority with already promoted Principals (Junior High School), but he is seeking parity with the promoted Principals at Sl. No. 1162, 1166 and 1168. After hearing to some length, learned Counsel for the petitioner confined his prayer to the extent that he will file fresh representation to the authorities concerned, which may kindly be directed to be decided by the Respondent authorities within a stipulated time by reasoned and speaking order, as per law.

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

4. In view of the above, the petitioner shall move a fresh representation to the Respondents within 30 days and the respondent authority(s) shall decide the representation of the petitioner by a reasoned and speaking order, as per law, within a period of three months from the date of presentation of certified copy of this order along with fresh representation.

5. Accordingly, the claim petition is disposed off. No order as to costs.

A.S.RAWAT
VICE CHAIRMAN (A)

RAJENDRA SINGH
VICE CHAIRMAN (J)

DATED: SEPTEMBER 18, 2024
DEHRADUN
KNP