

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

**CLAIM PETITION NO. 135/SB/2024**

Trilok Singh Martolia, aged about 55 years, s/o Sri B.S. Martolia, r/o Ganges-B-208, Omaxe- Riviera, Rudrapur, Udham Singh Nagar, through Chief Revenue Commissioner, 6- Ring Road, Upper Nathanpur, Dheradun.

**.....Petitioner**

**vs.**

1. The State of Uttarakhand through its Secretary. Revenue, Uttarakhand Dehradun
2. Chief Revenue Commissioner/ Board of Revenue, 6- Ring Road, Upper Nathanpur, Dehradun.
3. Commissioner and Secretary, Revenue Board, Section-3, Lucknow, Uttar Pradesh.
4. Sri Chandra Singh through Chief Revenue Commissioner, 6-Ring Road, Upper Nathanpur, Dehradun
5. Sri Jeewan Singh Nagnyal through Chief Revenue Commissioner, 6-Ring Road, Upper Nathanpur, Dehradun.

**.....Respondents**

Present: Dr. N.K.Pant, Advocate, for the petitioner.  
Sri V.P. Devrani, A.P.O. for State Respondents.

**JUDGMENT**

**DATED: OCTOBER 08, 2024**

**Justice U.C.Dhyani (Oral)**

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

*“(i) Issue an order or direction calling for the record and direct to the Respondent to include the name of the Petitioner for promotion from the date of 17.05.2000.*

*(ii) Issue an order or direction in the nature of mandamus commanding and directing the respondents to dispose of the representation dated 23.09.2024 as per law.*

*(iii) Issue any suitable order or direction which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.*

*(iv) Award the cost of claim petition to the Petitioner.”*

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

3. It is the submission of Ld. Counsel for the petitioner that the petitioner's representation may kindly be directed to be decided by Respondent No.2, as quickly as possible, as per law.

4. In reply, Id. A.P.O. submitted that it is a stale claim, which is highly barred by time in view of Section 5 (b)(i) of the Public Services (Tribunal) Act, 1976 (as applicable to Uttarakhand).

5. Considering the peculiar facts of the case, in its entirety, the Tribunal is of the view that innocuous prayer of Ld. Counsel for the petitioner is worth accepting.

6. The claim petition is disposed of, at the admission stage, with the consent of Ld. counsel for the parties, by requesting Hon'ble Board of Revenue ( Respondent No.2), to decide the representation of the petitioner, on the administrative side, as per law, as expeditiously as possible, on presentation of certified copy of this

order along with copy of representation enclosing the documents in support thereof.

7. Rival contentions are left open.

**(JUSTICE U.C.DHYANI)**  
CHAIRMAN

*DATE: OCTOBER 08, 2024.*  
*DEHRADUN*

*VM*