

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

EXECUTION PETITION NO. 28/SB/2024
*(Arising out of judgment dated 11.01.2024,
passed in Claim petition No. 05/SB/2024)*

B.S.Negi

.....Petitioner/applicant

vs.

State of Uttarakhand through Secretary, Housing Department, Govt. of
Uttarakhand and others.

..... Respondents

Present: Dr. N.K.Pant, Advocate, for the petitioner-applicant.
Sri V.P.Devrani, A.P.O., for the respondents.

JUDGMENT

DATED: OCTOBER 16, 2024

Justice U.C.Dhyani (Oral)

By means of present execution application, petitioner-applicant seeks to enforce order dated 11.01.2024, passed by this Tribunal in Claim Petition No. 05/SB/2024, B.S.Negi vs. State & others.

2. The execution application is supported by the affidavit of Sri B.S.Negi, petitioner. Relevant documents have been filed in support of the execution application

3. The decision rendered by this Tribunal on 11.01.2024, is reproduced herein below for convenience.

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

- “i) Issue an order or direction calling for the record and granting the pension benefit as per orders of the Govt.*
- ii) Issue an order or direction calling for the record and to direct the respondent to pay the LIC, transfer T.A., refund of car allowance and medical reimbursement with 12% interest at an early stage.*
- iii) Issue any suitable claim, 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. But, at the very outset, Dr. N.K.Pant, Ld. Counsel for the petitioner submitted that the petitioner has moved a representation (Annexure: A-16) to the District Development Authority, Nainital (Respondent No.3), on 29.01.2022, for redressal of his grievances and a direction be given to such respondent to decide the representation of the petitioner, in accordance with law, at the earliest, as the petitioner is facing great hardship. Ld. A.P.O. has no objection to such innocuous prayer of Ld. Counsel for the petitioner.

3. Ld. counsel for the parties submitted that Single Bench of the Tribunal can pass such an order.

4. The claim petition is disposed of, at the admission stage, with the consent of Ld. counsel for the parties, by directing Respondent No.3 to decide pending representation of the petitioner by a reasoned and speaking order, as per law, without unreasonable delay, and in any case within 08 weeks of presentation of certified copy of this order along with representation, enclosing the documents in support thereof. No order as to costs.

5. Rival contentions are left open.”

4. Ld. Counsel for the petitioner submitted that copy of the order passed by the Tribunal on 11.01.2024 was served in the office of the respondents on 25.01.2024.

5. It is also the submission of Ld. Counsel for the petitioner/ applicant that casual approach on the part of opposite parties(s)/respondent(s) should not be tolerated and strict direction should be given to them to ensure compliance of such order.

6. Considering the facts of the case, this Tribunal, while reiterating its earlier order, directs respondent no.3 to comply with the order dated 11.01.2024, passed by this Tribunal in Claim Petition No. 05./SB/2024,

B.S.Negi vs. State & others, if the same has not been complied with so far, without further loss of time.

7. Petitioner/ applicant is directed to place a copy of this order before the authority concerned, to remind that a duty is cast upon said authority to do something, which has not been done.

8. Execution application is disposed of, at the admission stage, with the consent of Ld. Counsel for the parties.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: OCTOBER 16, 2024.
DEHRADUN

VM