

**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)

**EXECUTION APPLICATION NO. 02/NB/DB/2024
IN
CLAIM PETITION NO. 08/NB/DB/2023**

1. Kailash Chandra Bhatt S/o Late Chintamani Bhatt.
2. Manoj Kumar S/o Late Prem Ram Arya,
3. Chandra Pal S/o Late Jai Lal

All the petitioners are presently posted as Class IV employee at Government Beekeeping Centre Jyolikote, District Nainital

.....Petitioners

Vs.

1. State of Uttarakhand through its Secretary, Horticulture, Government of Uttarakhand, Civil Secretariat, Dehradun.
2. Secretary Finance, Government of Uttarakhand, Civil Secretariat, Dehradun.
3. Director, Horticulture and Food Processing, 'Udyyan Bhawan' Chaubatiya, Ranikhet, District Almora.
4. District Horticulture Officer, Nainital, Udyan Bhawan Bhimtal, District Nainital.

.....Respondents

With

**EXECUTION APPLICATION NO. 03/NB/DB/2024
IN
CLAIM PETITION NO. 07/NB/DB/2023**

1. Prakash Chandra S/o Anni Ram,
2. Jagdish Lal S/o Gusain Ram,
Presently posted as Class IV employee at Government Horticulture Mobile Team, Patlot/Heera Nagar Haldwani, District Nainital.

.....Petitioners

Vs.

1. State of Uttarakhand through its Secretary, Horticulture, Government of Uttarakhand, Civil Secretariat, Dehradun.
2. Secretary Finance, Government of Uttarakhand, Civil Secretariat, Dehradun.
3. Director, Horticulture and Food Processing, 'Udyyan Bhawan' Chaubatiya, Ranikhet, District Almora.
4. District Horticulture Officer, Nainital, Vikas Bhawan Bhimtal, District Nainital.

.....Respondents

With

**EXECUTION APPLICATION NO. 04/NB/DB/2024
IN
CLAIM PETITION NO. 09/NB/DB/2023**

1. Naveen Chandra S/o Late Pani Ram,
2. Dinesh Kumar S/o Late Sita Ram
3. Madan Lal Arya S/o Shri Bachi Ram Arya
Presently posted as Class IV employee in Government Beekeeping Centre
Jyolikote, District Nainital

.....Petitioners

Vs.

1. State of Uttarakhand through its Secretary, Horticulture, Government of Uttarakhand, Civil Secretariat, Dehradun.
2. Secretary Finance, Government of Uttarakhand, Civil Secretariat, Dehradun.
3. Director, Horticulture and Food Processing, 'Udyyan Bhawan' Chaubatiya, Ranikhet, District Almora.
4. District Horticulture Officer, Nainital, Vikas Bhawan Bhimtal, District Nainital.

.....Respondents

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

JUDGMENT

DATED: FEBRUARY 19, 2025

Learned Counsel for the petitioners-executioners submitted that despite repeated orders of this Tribunal, respondents have not complied with the judgment and order dated 18.05.2023 of this Tribunal. He has submitted that the respondents neither filed the compliance affidavit nor filed the stay order against the judgment of this Tribunal. He further submitted that such conduct of the respondents is liable to be contemptuous.

Learned A.P.O. submitted that he has not received further instructions from the Department for compliance and further submitted that writ petition filed by the Department against the judgment and order dated 18.05.2023 passed by this Tribunal is still pending before the Hon'ble High Court of Uttarakhand at Nainital.

Learned Counsel for the petitioners-executioners requested that execution application may be disposed of with a liberty to file contempt petition against the respondents.

In view of above and perusal of the records reveal that the respondents have already been given sufficient opportunity to comply with the Tribunal's order dated 18.05.2023, but they have failed to comply with the same and by not complying the Tribunal's order, shows disobedience on the part of the respondents.

Hence, the aforesaid execution applications are disposed of with liberty to the petitioners/executioners to file contempt petition, as prayed.

A.S. RAWAT
VICE CHAIRMAN (A)

RAJENDRA SINGH
VICE CHAIRMAN (J)

DATED: FEBRUARY 19, 2025
NAINITAL.

BK