

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

Present: Hon'ble Mr. Justice U.C.Dhyani

----- Chairman

Hon'ble Mr. Arun Singh Rawat

-----Vice Chairman (A)

CLAIM PETITION NO. 16/DB/2025

Rajesh Tewari, aged about 59 years, s/o Sri Abhairaj Tewari, r/o HIG A-21, Chander Road, MDDA Colony, Dalanwala, Dehradun.

.....Petitioner

vs.

1. State of Uttarakhand through Secretary, Horticulture, Govt. of Uttarakhand, Secretariat, Dehradun.
2. Director General Horticulture and Food Processing, Uttarakhand, Dehradun.
3. Director, Horticulture and Food Processing, Uttarakhand, Chaubatia, District Almora.

.....Respondents

Present: Sri H.M.Bhatia, Advocate, for the petitioner.(virtually)
Sri V.P. Devrani, A.P.O. for Respondents.

JUDGMENT

DATED: FEBRUARY 04, 2025

Justice U.C.Dhyani (Oral)

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

“(i) Issue a writ, order or direction to the Respondent No.1 to decide the representation of the petitioner dated 09.05.2024 (Annexure No. 1) (moved in continuation of his earlier representations dated 17.02.2021 and 29.04.2023) by speaking and reasoned order in view of Govt. order dated 11.06.2003 and considered the case of the petitioner for notional promotion on the post of Class-2 cadre officer from the date his juniors namely Chandan Ram, Nand Kishore Arya and Satya Prakash were promoted in the cadre of Class-2 officers.

(ii) Issue any other or further writ, order of direction of the nature, which this Hon'ble Court may deem fit and proper in the circumstances of the case.

(iii) To award the cost of the petition in favour of Petitioner the Petitioner.”

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

3. Petitioner has filed copy of the representation dated 09.05.2024 (Annexure: 1) addressed to the Secretary, Agriculture, Govt. of Uttarakhand, which representation is self-contained. Prayer of the petitioner is that a decision be taken by the respondents on such self-contained representation by speaking order, in view of Govt. Order dated 11.06.2003 and consider the case of the petitioner for notional promotion on the post of Class-2 Officer Cadre from the date his juniors, namely, Sarvshri Chandan Ram, Nand Kishore Arya and Satya Prakash were promoted on the post of Class-2 Officer Cadre. Copies of all the documents, which have been relied upon by the petitioner, have been brought on record as Annexure Nos. 2, 3, 4, 5 & 6 to the claim petition. Ld. A.P.O. has no objection to such innocuous prayer of the petitioner.

4. The claim petition is disposed of, at the admission stage, with the consent of Ld. counsel for the parties, by directing Respondent No.1, to decide the representation of the petitioner, by a reasoned and speaking order, as per law, as expeditiously as possible, preferably within 06 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.

(ARUN SINGH RAWAT)
VICE CHAIRMAN (A)

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: FEBRUARY 04, 2025.
DEHRADUN

VM