

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

**EXECUTION PETITION NO. 04/SB/2025**

*( Arising out of judgment dated 08.10.2024,  
passed in Claim petition No. 135/SB/2024)*

Trilok Singh Martolia

.....Petitioner/applicant

**vs.**

State of Uttarakhand through Secretary, Revenue, Govt. of Uttarakhand,  
Dehradun 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: MARCH 03, 2025**

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

By means of present execution petition, petitioner-applicant seeks to enforce order dated 08.10.2024, passed by this Tribunal in Claim Petition No. 135/SB/2024, Trilok Singh Martolia vs. State & others.

2. The execution application is supported by the affidavit of Sri Trilok Singh Martolia, petitioner. Relevant documents have been filed in support of the execution petition

3. The decision rendered by this Tribunal on 08.10.2024, 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 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.”

4. Ld. Counsel for the petitioner submitted that copy of the order passed by the Tribunal on 08.10.2024 was served upon the respondents on 16.10.2024 (Annexure: E-2), but the said order has not been complied with as yet.

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 Hon'ble Board of Revenue to comply with the order dated 08.10.2024, passed by this Tribunal in Claim Petition No. 135/SB/2024, Trilok Singh Martolia 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(ies) concerned, to remind that a duty is cast upon said authority(ies) 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  
(virtual)

*DATE: MARCH 03, 2025.*  
*DEHRADUN*

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