

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

Present: Hon'ble Mr. Ram Singh

----- Vice Chairman (J)

Hon'ble Mr. D.K.Kotia

-----Vice Chairman (A)

CLAIM PETITION NO. 29/DB/2016

Arun Kumar Goel, aged about 53 years, S/o Pooran Mal Goel, R/o Mahadev Vihar, General Mahadev Singh Road, Dehradun, employed as Officiating Superintending Engineer, World Bank Circle, Public Works Department, New Tehri.

.....Petitioner

VERSUS

1. State of Uttarakhand through the Secretary, Public Works Department, Dehradun.
2. Engineer-in-Chief, Public Works Department, Uttarakhand, Dehradun.

.....Respondents.

Present: Sri L.K.Maithani, Ld. Counsel
for the petitioner
Sri U.C.Dhaundiyal & Sri V.P.Devrani, Ld. A.P.Os.
for the respondents

JUDGMENT

DATE: SEPTEMBER 06, 2018

HON'BLE MR. D.K.KOTIA, VICE CHAIRMAN (A)

1. The present claim petition has been filed for seeking the following reliefs:-

“(i) To issue an order or direction to the concern respondents to promote the petitioner to the post of Superintending Engineer from the date of promotion of his juniors i.e. 29.09.2014 as the proposal dated 26.08.2015 sent by the respondent No. 2 (Annexure No. 6) to the respondent No. 1 with all consequential benefits.

(ii) Any other order or direction which this Hon’ble Tribunal may deem fit and proper in the circumstances of the case may also be passed in favour of the petitioner.

(iii) Allow this petition with cost as quantified Rs. 51,000=00. ”

2. The petitioner is working as officiating Superintending Engineer in the Public Works Department, Government of Uttarakhand. The contention of the petitioner is that the juniors to him were promoted on 29.09.2014. The relief sought by the petitioner is that he be promoted to the post of Superintending Engineer as per the proposal sent by respondent No. 2 (to respondent No. 1) on 26.08.2015 (Annexure: A6).

3. The relief sought and proposal of respondent No. 2 dated 26.08.2015 are based on the modified seniority list (of Assistant Engineers) issued by the Government of Uttarakhand on 24.06.2015 (Annexure: A3).

4. The seniority list dated 24.06.2015 was challenged before the Uttarakhand Public Services Tribunal in Claim petition No. 30/NB/DB/2015, Charu Chandra Joshi vs. State of Uttarakhand & others and 33/DB/2015, Deepak Kumar Yadav and another vs. State of Uttarakhand & others and in both the said claim petitions, the seniority

list dated 24.06.2015 has been set aside by the Tribunal vide order dated 06.09.2018.

5. In view of the above, the claim petition filed by the petitioner has become infructuous.

The claim petition is disposed of accordingly.

No order as to costs.

(RAM SINGH)
VICE CHAIRMAN (J)

(D.K.KOTIA)
VICE CHAIRMAN (A)

DATE: SEPTEMBER 06, 2018
DEHRADUN
KNP