

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

Present: Hon'ble Mr. Justice U.C.Dhyani  
----- Chairman  
  
Hon'ble Mr. A.S.Nayal  
-----Member (A)

**EXECUTION PETITION NO. 12/DB/2018**

Ram Nath Aswal, s/o Late Sri K.S.Aswal, r/o H.N. 1 B Block Sarswati Vihar,  
P.O. Ajabpur Kala, District Dehradun, and 89 others.

.....Petitioner.

**vs.**

1. State of Uttarakhand through Secretary Home, Government of Uttarakhand, Secretariat, Dehradun.
2. Director General, of Police, Directorate, Uttarakhand, Dehradun.

.....Respondents.

Present: Sri M.C.pant & Sri L.K.Maithani, Counsel, for the petitioner/ executioner.  
Sarvsi U.C.Dhaundiya & V.P.Devrani, A.P.Os., for Opposite Party.

**JUDGMENT**

**DATED: FEBRUARY 07,2019**

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

By means of present execution petition, the executioner/  
petitioner seeks following relief:

“It is, therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to allow the present execution and further to clarify/ modify that all the benefits in respect of the services rendered by the petitioners as contractual employee shall also be taken into consideration for all service intents or to pass any other order or direction which the Hon'ble Tribunal may deem fit and proper in the circumstances of the case.”

- 2 When the claim petition No. 57/2010 was decided on 03.03.2015 by this Tribunal, the following order was passed:

“ The claim petition is partly allowed. The respondents no. 1 & 2 are directed to consider within a period of six month from today regular appointment of the petitioner on various trades on which they have worked under the scheme prepared by the respondents vide G.O. dated 25.07.2008 subject to need of the Police Department and vacancies. No order as to costs.”

3. Petitioners assailed said judgment before Hon'ble High Court, who was pleased to dismiss W.P. SB No. 461/15 Ram Nath Aswal vs. State of Uttarakhand & others on 03.03.2016. Whereas, the submission of Ld. Counsel for the petitioner is that order dated 03.03.2015 has not been complied with, a compliance report has been filed on behalf of respondents along with documents to show that the order of the Tribunal has been complied with.
4. Taking exception to the order purportedly passed on 10.06.2015, Ld. counsel for the petitioners submitted that there is hardly any compliance of the order of the Tribunal. Ld. A.P.Os pointed out that there is clerical error in the order purportedly issued on 10.06.15, which should actually be read as 10.06.2016. Even assuming that the said order was passed on 10.06.2016, it is the submission of Ld. Counsel for the petitioner that the case of the petitioner has not been considered by the respondents in the manner, it was directed in the order dated 03.03.2015. Be that as it may, the fact remains that the order has been executed, from the point of view of respondents.
5. Ld. Counsel for the petitioners next submitted that liberty may be granted to the petitioners to challenge the order dated 10.06.2016, which liberty is granted to them. The same may be done in accordance with law.

6. With the observations, as made above, we do not think that any useful purpose will be served by keeping the execution petition pending. The same is, accordingly, closed.

**(A.S.NAYAL)**  
MEMBER (A)

**(JUSTICE U.C.DHYANI)**  
CHAIRMAN

*DATE: FEBRUARY 07.2019*  
*DEHRADUN*

VM