

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

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

----- Chairman

Hon'ble Mr. Rajeev Gupta

-----Vice Chairman (A)

**CLAIM PETITION NO. 112/DB/2019**

Deep Chandra Pathak, s/o Sri Ganesh Dutt Pathak & others, presently Retd. Assistant/ Executive/Superintending Engineer, Irrigation Department, District Dehradun.

.....Petitioners.

**vs.**

1. State of Uttarakhand through its Chief Secretary of Uttarakhand.
2. Secretary, Finance Department, Govt. of Uttarakhand, Dehradun
3. Principal Secretary/ Secretary, Irrigation Department, Govt. of Uttarakhand, Dehradun.
4. Chief Engineer, Level-I, Irrigation Department, Uttarakhand.

.....Respondents.

Present: Sri N.K.Pant, Counsel, for the petitioner.  
Sri V.P.Devrani, A.P.O., for State of Uttarakhand.

**JUDGMENT**

**DATED: SEPTEMBER 12, 2019**

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

By means of present claim petition, petitioners seek, *interalia*, to direct Respondent No.3 to issue a Government Order for giving benefits of upgraded grade pay of Rs.8700/- to the petitioners.

2. Brief facts, giving rise to present claim petition, are as follows:

Petitioners are retired Assistant/ Executive/ Superintending Engineers in Irrigation Department of State of Uttarakhand. The pay scale of Rs.37400-67000/- grade pay Rs.8700/- has been sanctioned to the Superintending Engineers of Govt. of India *vide* official Gazette No. 526 dated 17.10.2012 of the Govt. of India.

Pay scale of Rs.15600-39100/- grade pay Rs.7600/- of the Superintending Engineers of the State has been upgraded to the pay scale of Rs.37400-67000/- grade pay Rs.8700/- *vide* G.O. No. 220/xxvii(7) 50(16)/2014 T.C. dated 31.10.2017 of the Principal Secretary, Finance, who directed for issuance of Govt. Orders accordingly by the administrative departments. Pay scale of Rs.15600-39100/- grade pay Rs.7600/- of the departmental Superintending Engineers has been upgraded to the pay scale of Rs.37400-67000/- grade pay Rs.8700/- with immediate effect *vide* G.O. NO. 2047/11/(1)-2017-01(128)/2017 dated 01.01.2018, by Respondent No.3.

The petitioners having retired before 31.10.2017 have not got the benefit of the upgraded scale of Rs.37400-67000/- grade pay Rs.8700/- and for the same they have filed a combined representation on 25.02.2019 for granting benefits of the said G.O. to the Engineers retired before 31.10.2017. When the representation was not decided, petitioners reiterated the same by sending a reminder on 10.06.2019 for granting benefits of the said G.O. to the retired Engineers, but the Govt. has not taken any decision on the said representation. Hence, present claim petition.

3. After arguing the claim petition at some length, Ld. Counsel for the petitioners prayed that their representation dated 10.06.2019, along with enclosures (Annexure: A 13), may kindly be directed to be decided by Respondent No.3, at an early date, as per law. Ld. A.P.O. is not averse to the idea of directing Respondent No.3 to decide such representation at an early date, as per law.

4. We have noted that the representation of the petitioners is self contained representation, enclosing the annexures in support of their contention and, therefore, it will be in the fitness of things if Respondent No.3 is directed to decide such representation.
5. Claim petition is, accordingly, disposed of, at the admission stage, by directing Respondent No.3, to decide the pending representation dated 10.06.2019 (Annexure: A 13) of the petitioners, by a reasoned and speaking order, in accordance with law, at an earliest possible, but not later than eight weeks of presentation of certified copy of this order along with copy of Annexure: A 13.

**(RAJEEV GUPTA)**  
VICE CHAIRMAN (A)

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

*DATE: SEPTEMBER 12, 2019*  
*DEHRADUN*

*VM*