

**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.06/DB/20 .

Surya Prakash Singh., aged about 26 years, s/o Sri Jai Prakash Singh and 9 others.

.....Petitioners

vs.

1. State of Uttarakhand through Secretary, Finance, Govt. of Uttarakhand, Secretariat, Subhash Road, Dehradun.
2. Director, Directorate, Treasury, Pension and Entitlement, Uttarakhand, 23 Laxmi Road, Dehradun, Uttarakhand.

....Respondents

Present: Sri L.K.Maithani & Sri U.C.Dhaundiyal, Advocates,
for the petitioners.
Sri V.P.Devrani, A.P.O., for the Respondents.

JUDGMENT

DATED: JANUARY 08, 2020

Justice U.C.Dhyani (Oral)

By means of present claim petition, the petitioners seek to issue an order or direction to the respondents to sanction the benefits of up-graded pay scale Rs.9300-34800/- grade pay Rs.4600/- with all consequential benefits to the petitioners since the date of their appointment on the post of Assistant Accountant, as has been granted to the similarly situated Assistant Accountants

of State Treasury *vide* G.O. dated 15.02.2019 and G.O. dated 22.02.2019, among other reliefs.

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

The petitioners are, presently, working as Assistant Accountants, under Respondent No.2. Their contention is that they have been deprived of the same benefit which was given to similarly situated Assistant Accountants/Accountants *vide* G.Os. dated 15.02.2019 and 22.02.2019. Present claim petition has been filed by them for seeking benefit of up-gradation of pay scale which was given to the similarly situated Assistant Accountants/Accountants in terms of the aforesaid G.Os. It has been pleaded, in the claim petition, that the service conditions of State Treasury and Directorate Treasury are governed by Service Rules, 2003, as amended in 2015. The nature of duties of the petitioners is more difficult than the Assistant Accountants of District Treasuries. In the Service Rules, the pay scales of Assistant Accountants of District Treasuries of the State and Directorate were the same, but due to arbitrary action of the respondents, petitioners are getting lesser salary than their counterparts and similarly situated persons in the District Treasuries.

Petitioners made repeated representations to the respondents to highlight their grievances, but, according to the petitioners, their representations have not been decided so far.

In a nutshell, the grievance of the petitioners, among other things, is that benefit of the G.O., mentioned herein before, was not granted to them, and therefore, they moved representations, which remains undecided till date.

3. Instead of directing the respondents to file C.A., we feel, as of now, that the interest of justice will be served, in the peculiar facts, by directing Respondent No.1 to decide the pending representations of the petitioners by a reasoned and speaking order, in accordance with law. Since the respondents have not yet applied their mind to the grievances of the petitioners, therefore, no useful purpose will be served, at this juncture, to direct them to file their counter narration, which, in all probability, will be the same, by which their representations shall be decided.

4. The claim petition is disposed of, at the admission stage, by directing Respondent No.1 to decide the pending representation of the petitioners by a reasoned and speaking order, at an earliest possible, but not later than 12 weeks of presentation of certified copy of this order, along with copy of one such previous representation, in accordance with law.

(RAJEEV GUPTA)
VICE CHAIRMAN (A)

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: JANUARY 08, 2020
DEHRADUN

VM