

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

Through Audio Conferencing

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

----- Chairman

Hon'ble Mr. Rajeev Gupta

-----Vice Chairman (A)

CLAIM PETITION NO. 50/DB/2020

Praveen Kumar Rai, aged about 41 years, s/o Sri Satya Narayan Rai, r/o A-38,
Jal Nigam Colony, Indira Nagar Near Seemadwar I.N.C. New Forest, Dehradun

.....Petitioner.

vs.

1. State of Uttarakhand through Secretary, Uttarakhand Peyjal Sansadhan Vikas Evam Nirman Nigam, Secretariat , Dehradun.
2. Chairman, Uttarakhand Peyjal Sansadhan Vikas Evam Nirman Nigam, 11, Mohini Road, Dehradun.
3. Managing Director, Uttarakhand Peyjal Sansadhan Vikas Evam Nirman Nigam, 11, Mohini Road, Dehradun.
4. Chief Engineer (Headquarter), Uttarakhand Peyjal Sansadhan Vikas Evam Nirman Nigam, 11, Mohini Road, Dehradun.
5. General Manager (Ground Water), Uttarakhand Peyjal Sansadhan Vikas Evam Nirman Nigam, 11, Mohini Road, Dehradun.

.....Respondents.

Present: Sri M.C.Pant, Advocate, for the petitioner.
Sri V.P.Devrani, A.P.O., for State of Uttarakhand.

JUDGMENT

DATED: JULY 30, 2020

Justice U.C.Dhyani (Oral)

By means of present claim petition, petitioners seek, following reliefs:

(i) To issue order or direction appropriate in nature against the respondents no. 1 & 2 to allot the selection year 2004-05 to the petitioner instead of 2005-06 after considering the representation of the petitioner or to mould the prayer which the Court finds fit, deem and proper considering the facts highlighted in the body of the petition in the circumstances of the case.

(ii) To issue any other order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case.

(iii) Cost of the petition to be awarded to the petitioner.

2. After arguing the claim petition at some length, Ld. Counsel for the petitioner, at this juncture, confined his prayer only to the extent that that petitioner's pending representation dated 28.04.2020 given to Respondent No. 3 (Annexure: 7) and his representation dated 28.07.2020 (Annexure: 8) given to Respondent No.1, may kindly be directed to be decided by speaking and reasoned orders, at an earliest possible, in accordance with law, and the claim petition may be disposed of at the admission stage itself.

3. In reply, Ld. A.P.O. submitted that he has no objection, if a direction is given to decide the pending representation of the petitioner by a reasoned order, within time bound manner. He, however, on seeking instructions from Sri Vipin Chand Purohit, Legal Assistant, Uttarakhand Payjal Sansadhan Vikas Evam Nirman Nigam, Dehradun, stated that no promotional exercise is being undertaken, as of now and, therefore, no date of DPC has yet been fixed.

4. We do not think it necessary to reproduce the facts of the claim petition. The representation of the petitioner is self-contained in this context.

5. Claim petition is, accordingly, disposed of at the admission stage, by directing Respondents No. 1 and 3 to decide the pending representation dated 28.07.2020 (Annexure:8) and representation dated 28.04.2020 (Annexure: 7) respectively of the petitioner, by reasoned and speaking orders, in accordance with law, at the earliest possible, but not later than six weeks from today. Petitioner is directed to serve a copy of this order, to be uploaded on the Website of the Tribunal, along with copies of representations dated 28.07.2020 and 28.04.2020, upon

Respondents No. 1 and 3, by tomorrow. He may also obtain certified copy of this order by 04.08.2020 [because 1st, 2nd and 3rd of August, 2020 are holidays].

6. Needless to say that the decision so taken, shall be communicated to the petitioner soon thereafter.

(RAJEEV GUPTA)
VICE CHAIRMAN (A)

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: JULY 30, 2020
DEHRADUN

VM