

(2022) 02 UK CK 0106

In the Uttarakhand High Court

Case No : Writ Petition (S/B) No. 298 Of 2012

Deepak Sharma S/o Sri Pramod Kumar Sharma

APPELLANT

Vs

State Public Service Tribunal, Uttarakhand & Others

RESPONDENT

Date of Decision : 21-02-2022

Acts Referred:

Citation : (2022) 02 UK CK 0106

Hon'ble Judges : Sanjaya Kumar Mishra, J; Narayan Singh Dhanik, J

Bench : Division Bench

Advocate : M.C. Pant, B.P.S. Mer

Final Decision : Disposed Of

Judgement

Sanjaya Kumar Mishra, J

1) Heard learned counsel for the parties.

2) In this writ petition, the petitioner has sought for a writ of certiorari and prayed that the impugned judgment and order dated 03.07.2012, passed by the Public Services Tribunal, Uttarakhand, in Claim Petition No. 48 of 2007, be set aside, and a rule in the nature of mandamus be issued directing that the petitioner be treated as regularly promoted Accountant in terms of the promotion orders dated 31.01.2005 and 05.01.2009, and for other consequential relief.

3) In the claim petition, the petitioner prayed before the Tribunal for quashing of a particular Office Memorandum, and to direct the Mussoorie Dehradun Development Authority, Dehradun to make payment of salary in the pay scale of post of Accountant to the petitioner from the date of joining, i.e., 01.02.2005. However, in the meantime, there has been a development, and respondent No. 2 has by virtue of letter No. 278 / 2020, dated 26.08.2020, has directed the petitioner to join as Assistant Accountant in the same Organization.

4) Thus, the petitioner wants to withdraw the writ petition with a liberty to file appropriate representation before the authorities, especially the Respondent No.

2, for consideration of his grievances relating to his services.

5) In that view of the matter, we hereby dispose of the writ petition giving liberty to the petitioner to file an appropriate representation before the respondent No. 2 within twenty-one days from today. The respondent No. 2 shall consider the representation of the petitioner on merit after affording a reasonable opportunity of hearing and production of document to the petitioner, and shall dispose of the same by way of a reasoned order within sixty days thereafter.

6) With the direction as above, the writ petition stands disposed of. There shall be no order as to costs.