

(2022) 09 UK CK 0098

In the Uttarakhand High Court

Case No : Writ Petition (S/B) No. 30 Of 2020

Dr. Surendra Dutt Saklani

APPELLANT

Vs

State Of Uttarakhand And Another

RESPONDENT

Date of Decision : 19-09-2022

Acts Referred:

Citation : (2022) 09 UK CK 0098

Hon'ble Judges : Vipin Sanghi, CJ;R.C. Khulbe, J

Bench : Division Bench

Advocate : Vinay Kumar, A.K. Bisht

Final Decision : Disposed Of

Judgement

Vipin Sanghi, CJ

1. The petitioner has preferred the present Writ Petition to seek the following relief :-

“(i) Issue a writ, order or direction in the nature of Certiorari calling for the record and quashing the impugned Order No. 2054 dated 21st December 2018 issued by the Secretary, Medical Health and Family Welfare, Govt. of Uttarakhand, whereby a punishment of recovery of Rs. 3,41,000/- in equal installments of Rs. 5000/-per month has been directed to be recovered from the petitioner and has also been awarded the punishment of stoppage of two annual increments with cumulative effect along with recording of censure entry for the year 2013-14.”

2. The petitioner falls within the definition of a public servant. The claim raised by the petitioner squarely falls for consideration by the Uttarakhand Public Services Tribunal.

3. Considering the fact that the Writ Petition has been pending since 2020, and pleadings are complete, we direct the Registry to transfer the complete record of this Writ Petition to the Uttarakhand Public Services Tribunal. The Tribunal shall

register the same as a Claim Petition, and deal with the same accordingly.

4. The Writ Petition stands disposed of accordingly.

5. In sequel thereto, pending application, if any, also stands disposed of.