
(2022) 09 UK CK 0123

In the Uttarakhand High Court

Case No : Writ Petition (S/B) No. 522 Of 2018

Jugal Kishore Tiwari

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 22-09-2022

Acts Referred:

Citation : (2022) 09 UK CK 0123

Hon'ble Judges : Vipin Sanghi, CJ;Ramesh Chandra Khulbe, J

Bench : Division Bench

Advocate : Niranjan Bhatt, Anil Kumar Bisht

Final Decision : Disposed Of

Judgement

Vipin Sanghi, CJ

1) The petitioner has preferred the present writ petition to seek the following substantial reliefs:

"i) Issue a writ, order or direction in the nature of certiorari calling for records and quashing the impugned Office Order No. 19/Writ/XI(1)/2017-50(04) 18 dated 2nd April 2018 passed by the Principal Secretary, Rural Development Department, Govt. of Uttarakhand, whereby the representation of the petitioner dated 19th January 2018 has been rejected.

ii) Issue a writ, order or direction in the nature of mandamus directing the respondents to pass an order for constituting the ACP Screening Committee for taking decision on the rectification of the anomaly to the extent that a 9 years junior officer is getting higher salary than the petitioner.

iii) Issue a writ, order or direction in the nature of mandamus directing the respondents to take the decision regarding grant of 3rd Financial Upgradation to the petitioner in the Grade Pay of Rs.8700/-taking into account the services rendered by the petitioner in education department."

2) The petitioner is a public servant. The substantial reliefs sought by the petitioner squarely fall for consideration within the jurisdiction of the Uttarakhand Public Services Tribunal.

3) Considering the fact that the petition is pending since the year 2018, we direct the Registry to transmit the complete record of the case to the Tribunal, which shall be registered as a claim petition by the Tribunal, and be dealt with accordingly.

4) Writ petition stands disposed of accordingly.