
(2019) 10 UK CK 0060
In the Uttarakhand High Court
Case No : Writ Petition (SS) No. 776 Of 2013

Sharan Pal Singh Kunwar

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 17-10-2019

Acts Referred:

Citation : (2019) 10 UK CK 0060

Hon'ble Judges : Ramesh Ranganathan, CJ;Alok Kumar Verma, J

Bench : Division Bench

Advocate : Pradeep Joshi, B.D. Kandpal, Rakesh Thapliyal, Neeti Rana

Final Decision : Dismissed

Judgement

Ramesh Ranganathan, CJ

1. When the matter was taken up today i.e. 17.10.2019, neither are Mr. Shanshak Pandey and Mr. Vikas Bahuguna nor Mr. G.D. Joshi, learned counsel, present, nor is there any representation on their behalf.

2. Writ petitions, relating to year 2014 and prior thereto, are taken up for expeditious disposal every Wednesday and Thursday afternoons. Such cases are printed in the weekly list, and are intimated to all counsel on the prior Friday. Yet none of these counsel have chosen to appear before us today.

3. As the Writ Petition relates to the year 2013, we see no reason to defer hearing, and have proceeded to decide the writ petition on its merits after hearing Mr. Pradeep Joshi, learned Standing Counsel for the State Government and Mr. B.D. Kandpal, learned Standing Counsel for the Public Service Commission.

4. Pursuant to the order passed by the learned Single Judge, in WPSS No.35 of 2012 and batch dated 01.08.2012 whereby the State Government was directed to initiate the process for filling up the posts of Forest Rangers under the promotion quota in terms of the 2010 Rules, within a period of three months,

proceedings dated 05.06.2003 were issued by the State Government whereby two Government Officials were deputed to form part of the Departmental Promotion Committee constituted to promote officers in the cadre of Deputy Range Officers to the posts of Forest Range Officers.

5. The contention of the petitioner in the writ petition is that the Division Bench had, while admitting the appeals, stayed the order passed by learned Single Judge in all the four writ petitions dated 01.08.2013, and consequently till a decision is rendered in Special Appeal No.24 of 2012, in which the judgment and order of the Court was stayed, the process of promotion to the post of Forest Range Officer should not be undertaken.

6. Mr. Pradeep Joshi, learned Standing Counsel for the State Government, would submit that the interim order, passed by the Division Bench in Special Appeal No. 24 of 2013, was only in respect of absorption of Assistant Development Officers (Forest) as Forest Range Officers, and that part of the order, whereby the respondents were directed to take up the exercise of promoting officers of Forest Range Officers, continued to remain in force. Since Special Appeal No.24 of 2013 has already been decided, by the order passed by us today, and as a DPC was already constituted on 28.06.2013 and recommendations were made to the State Government, suffice it, while dismissing the writ petition as infructuous, to make it clear that it is open to the State Government to proceed and give effect to the recommendations made by the Uttarakhand Public Service Commission regarding promotion of employees in the cadre of Deputy Range Officers to the post of Forest Range Officers.

7. Subject to the aforesaid observations, the writ petition fails and is, accordingly, dismissed. No costs.