

(2021) 09 UK CK 0124

In the Uttarakhand High Court

Case No : Writ Petition (S/B) No. 355 Of 2021

Tarun Garg & Ors

APPELLANT

Vs

State Of Uttarakhand & Ors

RESPONDENT

Date of Decision : 06-09-2021

Acts Referred:

Citation : (2021) 09 UK CK 0124

Hon'ble Judges : Manoj Kumar Tiwari, J;Alok Kumar Verma, J

Bench : Division Bench

Advocate : Bhagwat Mehra, Yogesh Pandey, S.S. Chaudhary, B.D. Kandpal

Final Decision : Dismissed

Judgement

Manoj Kumar Tiwari, J

1. Heard learned counsel for the parties.
2. Petitioners were appointed as Lecturer and presently they are serving as Head of Department in different Government Polytechnics controlled by Technical Education Department. According to the petitioners, a seniority list has been prepared by the Competent Authority in gross violation of statutory provisions including Uttarakhand Government Servants Seniority Rules, 2002, which is under challenge in this writ petition.
3. A Division Bench of this Court in Bhuvan Chandra Pandey and Ors. vs. State of Uttaranchal and Ors. reported in (2006) 2 U.D. 439 has held that in view of availability of efficacious statutory remedy under the U.P. Public Service (Tribunals) Act, 1976, seniority dispute may not be entertained by this Court.
4. In such view of the matter, the writ petition is dismissed with liberty to the petitioners to approach the Public Service Tribunal constituted under the aforesaid Act.