

(2020) 11 UK CK 0023
In the Uttarakhand High Court
Case No : Special Appeal No. 105 Of 2016

Vijay Pal Singh And Another	Vs	APPELLANT
State Of Uttarakhand And Others		RESPONDENT

Date of Decision : 04-11-2020

Acts Referred:

Citation : (2020) 11 UK CK 0023

Hon'ble Judges : Ravi Malimath, J; Ravindra Maithani, J

Bench : Division Bench

Advocate : Ashish Joshi, Anil Kumar Bisht

Final Decision : Dismissed

Judgement

Ravi Malimath, J

1. Aggrieved by the order dated 17.03.2016 passed by the learned Single Judge in relegating the petitioners to the Uttarakhand Public Services Tribunal, the petitioners are in appeal.
2. Shri Ashish Joshi, learned counsel for the appellants, contends that the relief, as sought for by the appellants-writ petitioners, required to be granted; the respondents are acting upon the seniority-list, which has been set aside.
3. However, on hearing learned counsel, we do not find any merit in this appeal. The writ petition has been dismissed on the ground that the petitioners have an alternative and efficacious remedy before the Uttarakhand Public Services Tribunal. In view of the availability of this remedy, the learned Single Judge declined to interfere in the matter. We do not find any ground to interfere in the order passed by the learned Single Judge.
4. In view of an alternative and efficacious remedy, we do not find that any error was committed by the learned single judge. Hence, the appeal is dismissed. However, liberty is granted to the appellants-writ petitioner to approach the Uttarakhand Public Services Tribunal.

5. In case, a petition is filed before the Uttarakhand Public Services Tribunal within a period of eight weeks from today, the same shall be considered on merits without reference to delay.

6. Pending applications (CLMA No. 4244 of 2016 and IA No. 10710 of 2020) stand rejected.