

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL  
BENCH AT NAINITAL**

Present: Hon'ble Mr. Rajendra Singh  
.....Vice Chairman (J)

Hon'ble Mr. A.S.Rawat  
.....Vice Chairman(A)

**CLAIM PETITION NO. 36/NB/DB/2025**

Mahesh Chandra, aged about 67 years, S/o Shri Chheda Singh, R/o Rail Mandi, Jaswant Nagar, V.T.C. Jaswantnagar, Post Office Jaswant Nagar, District Etawah, U.P.

.....**Petitioner**

Vs.

1. State of Uttarakhand through Secretary School Education, Civil Secretariat, Dehradun.
2. Director of Secondary Education, Uttarakhand Government Nanoorkheda, Dehradun.
3. Additional Director of Education, (Secondary Education) Kumaon Division, Nainital.
4. Director, Treasury, Pension and Entitlement, Uttarakhand, Dehradun.
5. District Education Officer, (Primary Education), Pithoragarh.
6. Block Education Officer, Gangolihaat, District Pithoragarh.

## .....Respondents

Present: Sri S.K.Mandal, Advocate for the petitioner  
Sri Kishore Kumar, A.P.O., for the respondents

## JUDGMENT

**DATED: MAY 23, 2025**

By means of this petition, the petitioner seeks the following reliefs:

*“ i) To command the respondents to produce the record before this Hon'ble Court and further be directed to re-determine the pay scale and pension equivalent to the junior employees and payment may be made with admissible interest, as early as possible within definite span of time.*

*ii) To pass an order or direction in the nature, which this Hon'ble Court may deem fit and proper in the circumstances of the case.*

*iii) Award the cost of the claim petition and may be given to the petitioner."*

2. Brief facts of the case are the petitioner was appointed on 13.03.1992 as Teacher (Primary) and posted at Primary School Khateda, Block, Munsyari, District Pithoragarh. He joined the service on 23.03.1992. He was promoted to the post of Assistant Teacher (L.T. Grade) on 28.05.2005 and posted at Government Higher Secondary School Dharadi, Gangolihaat in the pay scale Rs. 5500-175-9000. The name of the petitioner has placed at serial no. 10 in the promoted list.

3. The petitioner made a representation to the Block Education Officer, Gangolihaat on 15.02.2015 stated therein that he has been appointed on 23.03.1992 and the promotion has been made on 31.05.2005. The basic pay of the petitioner is Rs. 18490 per month and the similarly placed employees, junior to the petitioner (i) Smt. Manju Kothari, who was appointed in the year 1993 and given promotion in the year 2007 is getting the basic pay Rs. 19190/-, (ii) Mr. Puran Singh Pargai, Assistant Teacher posted at Jeeval Gangolihaat was appointed in the year 1995 and promoted in the year 2008 and his basic pay Rs. 19190/- and (iii) Mr. Birendra Singh Rawat, Assistant Teacher posted at Jajoli, Gangolihaat appointed in the year 1995 promoted in the year 2008, his basic pay of Rs. 19190/-. Other teachers who are junior to the petitioner are getting the more salary, who are working in the same department and same post, therefore, the salary of the petitioner may be made equal to the juniors. The representations have been received in the office of the Block Education Officer on 15.02.2015 15.09.2015 & 12.09.2016. But no heed was paid on his representation.

4. The petitioner has retired on 01.03.2019. The respondents have fixed the pension of the petitioner on the basis of the last drawn salary of Rs. 68000/-, and the pension is being paid Rs. 34000/- per month, 50% of basic salary without corrected the salary and without giving the pay equivalent to the junior employees.

5. The petitioner made several representations dated 15.09.2015, 12.09.2016, 15.02.2020, 21.12.2020, 23.03.2022, 01.05.2024, 27.05.20

24 & 10.05.2025 to the Block Education Officer and copy forwarded to the Treasury Officer, Chief Education Officer (respondent no. 6). The petitioner stated that the petitioner being the senior most teacher is getting the less salary than the juniors, therefore, his salary may be re-fixed at least same as his juniors. The respondents have neither decided the representations of the petitioner till date and nor provided any information regarding the fixation of his salary.

6. Learned A.P.O. has submitted that the Block Education Officer is not the appointing or competent authority to decide the representations moved by the petitioner.

7. During course of hearing, at admission stage, Ld. Counsel for the petitioner confined his prayer to the extent that the petitioner shall move a fresh representation to the Director, Secondary Education, Uttarakhand Government Nanoorkheda, Dehradun (Respondent no. 2) within 15 days, which may kindly be directed to decide, at an earliest possible, in accordance with law. Learned A.P.O. has no objection to such innocuous prayer of learned Counsel for the petitioner.

8. The claim petition is, accordingly, disposed of, at the admission stage, by directing the Director, Secondary Education, Uttarakhand Government Nanoorkheda, Dehradun (Respondent no. 2), to decide representation, which shall be filed by the petitioner within 15 days, by a reasoned and speaking order, within a period of three months, in accordance with law, on presentation of certified copy of this order along with fresh representation. No order as to costs.

**A.S.RAWAT**  
VICE CHAIRMAN (A)

**RAJENDRA SINGH**  
VICE CHAIRMAN (J)

*DATED: MAY 23, 2025*  
*DEHRADUN.*  
*KNP*