

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL  
AT DEHRADUN**

**CLAIM PETITION NO. 06/SB/2025**

Satish Chandra Ghildiyal, s/o Late Sri Govind Ram Ghildiyal,  
presently posted as Sub-Inspector, Thana GRP, Dehradun.

**.....Petitioner**

**VS.**

1. State of Uttarakhand through Secretary (Home) Civil Secretariat,  
Dehradun.
2. Director General, Police, Uttarakhand, Police Headquarters,  
Dehradun.

**.....Respondents**

Present: Sri Shashank Pandey, Advocate, for the Petitioner.  
Sri V.P. Devrani, A.P.O. for Respondents.

**JUDGMENT**

**DATED: JANUARY 13, 2025**

**Justice U.C.Dhyani (Oral)**

By means of present claim petition, petitioner seeks  
the *following reliefs*:

*“(I) To direct the first respondent to take into account the petitioner’s record of service in the Indian Air Force, before being appointed as Sub-Inspector in the Police, while counting his seniority.*

*(II) To put an exemplary cost on the first respondent.*

*(III) To grant any other relief in favour of the petitioner that this Hon'ble Court feels fit and proper in the circumstances of the case."*

2. The claim petition is supported by the affidavit of the petitioner. Relevant documents have been filed along with the same.

3. Present claim petition has been filed by the petitioner against denial of perks, benefits and emoluments, as a consequence of counting his seniority without consideration of his previous service in the Indian Air Force, which, according to the petitioner, should have rightfully accrued to him.

4. Facts, in brief, are that the petitioner served in the Indian Air Force for a period of 20 years, since 30.03.1987 to 01.04.2007. He was discharged for the reason of having fulfilled the condition of enrolment. Thereafter, he was directly recruited as Sub-Inspector in the Police, Uttarakhand on 25.04.2009, and is presently posted as Sub-Inspector, GRP, Dehradun. The petitioner has been continuously in service of the Government since 30.03.1987, when he was appointed by the Indian Air Force. The seniority of the petitioner was counted by the first Respondent without taking into account the time he served in the Indian Air Force. Petitioner has been denied all the perks, emoluments and benefits due to the fact that his seniority has been counted without considering his previous record with the Indian Air Force.

4. Ld. Counsel for the petitioner submitted that similar matter has been decided by the Hon'ble High Court of Uttarakhand *vide* judgment dated 04.07.2005, rendered in WPSB No. 50 of 2005, Thaneshwar Prasad Kundalia vs. State of Uttarakhand and others. He submitted that respondent department may be directed to consider petitioner's case in the light of the aforesaid decision of Hon'ble High Court.

6. Innocuous prayer of the petitioner is worth accepting. Second respondent should be directed to decide petitioner's case in the light of the aforesaid decision and in accordance with law.

7. The claim petition is disposed of, at the admission stage, by directing Respondent No.2, to decide the claim of the petitioner in the light of the aforesaid decision and in accordance with law, as expeditiously as possible and without unreasonable delay, on presentation of certified copy of this order along with documents in support of petitioner's case.

8. Rival contentions are left open.

**(JUSTICE U.C.DHYANI)**  
CHAIRMAN

*DATE: JANUARY 13, 2025.*  
*DEHRADUN*

*VM*