

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

CLAIM PETITION NO. 42/SB/2025

1. Shadab Ahmad, s/o Sri Khursheed Ahmad, aged about 41 years, r/o Sahaspur, District Dehradun, Uttarakhand & others.
2. Pramod Verma, s/o Sri Hira Lal Verma, r/o Papdev Paun Pithoragarh, Uttarakhand.
3. Sanjay Singh Rawat, s/o Sri Dhyan Singh Rawat, r/o Snow View Ward Chartan Chartan Lodge Mallital, Nainital, Uttarakhand.
4. Dipti Rana s/o Sri Charan Singh, r/o Ward No. 12 All Chemist Road, Rajeev Nagar, Khetal Sandakham, Udham Singh Nagar, Uttarakhand.

.....Petitioner

VS.

1. State of Uttarakhand through Additional Chief Secretary, Home, Secretariat, Dehradun.
2. Director General of Police, Police Head Quarter, Uttarakhand, 12 Subhash Road, Dehradun.
3. Inspector General of Police, Police Head Quarter, Uttarakhand, 12 Subhash Road, Dehradun.

.....Respondents

Present: Sri Aditya Birla & Sri Ashish Antal, Advocates,
for the petitioner.
Sri V.P. Devrani, A.P.O. for Respondents.

JUDGMENT

DATED: MARCH 28, 2025

Justice U.C.Dhyani (Oral)

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

“ Quash the promotion order dated 06/08/2024 along with the provisional seniority list dated 06/08/2024.

ii) Stay the effect and operation of the impugned promotion order dated 06/08/2024 passed by Respondents.

iii) Quash the final seniority list dated 17/02/2025 and modified / reissue the seniority list of the constables by considering the date of Joining of PTC training i.e 17.04.2006 for the batch year 2006 for the seniority list for all the candidates/constables.

iv) Issue any other order or direction which this Hon'ble tribunal may deem fit and proper in the circumstances of the present case.

v) Award cost to the petitioner.”

2. The claim petition is supported by the affidavit of Sri Sahadab Ahmad, petitioner No.1. Relevant documents have been filed along with the same.

3. Sri Aditya Birla, Ld. Counsel for the petitioners submitted that the petitioners be given liberty to make a representation to the respondents to highlight their grievances and respondents be directed to decide their representation in time bound manner, in accordance with law.

3.1 Petitioners are Constables in the Intelligence Department and are aggrieved with the manner in which promotions of some of the Constables in their department are proposed, on the basis of their dates of joining. The submission of Ld. Counsel for the petitioners is that the petitioners and other Constables, who are proposed to be promoted , as shown in the tentative seniority list, belong to the same batch, they undertook PTC training together and thereafter they joined on different dates. The Respondent Department is proposing to promote those Constables who had joined earlier, which is highly discriminatory. For example, if appointment letter is given to a Constable in Dehradun, it becomes much easier for him to join at

Dehradun or at the adjoining district. On the contrary, if someone has to join in Pithoragarh, Uttarkashi or in any remote place, it will take him some time to join at his place of posting, therefore, he cannot be subjected to discrimination on the ground that he has given joining at a later date.

4. Ld. A.P.O. submitted that since the petitioners have come only against the tentative seniority list, therefore, petition appears to be premature. He however, submitted that if a direction is given to respondents to decide the representation of the petitioners, as per law, the Respondent Department shall abide by the same.

5. The claim petition is disposed of, at the admission stage, with the consent of Ld. counsel for the parties, by directing authority concerned, to decide the representation of the petitioners, by a reasoned and speaking order, as per law, as expeditiously as possible, preferably within 12 weeks of presentation of certified copy of this order along with (fresh) representation, enclosing the documents in support thereof. No order as to costs.

6. Rival contentions are left open.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: MARCH 28, 2025.
DEHRADUN

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