

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

Present: Hon'ble Mr. Capt. Alok Shekhar Tiwari

----- Member (A)

Claim Petition No. 18/NB/SB/2025

Hemlata Pandey (Female), aged about 54 years, W/o Late Lalit Kumar Pandey, R/o Talli Chauki, PO-Phungar, Dist. Champawat.

..... Petitioner

Versus

1. State of Uttarakhand, through Secretary Transport, Civil Secretariat, Subhash Marg, Dehradun.
2. Managing Director, Uttarakhand Transport Corporation, 2nd Floor Parivahan Bhawan, Kulahan Sahastradhara Road-248013, Dehradun.
3. Divisional Manager (Operation), Uttarakhand Transport Corporation, Tanakpur, Dist.-Champawat.
4. Asstt. Manager, Uttarakhand Transport Corporation, Lohaghat Depot, Dist.-Champawat.

..... Respondents

Present : Sri Sandeep Tiwari & Sri Piyush Tiwari, Advocates
for the petitioner

Sri Kishore Kumar, A.P.O. for the respondent No. 1

Sri Prem Kaushal, Advocate for the respondents No.
2 to 4 (Online)

JUDGMENT

DATED : **MARCH 20, 2025**

This claim petition has been filed seeking the following relief:-

- “ a) to quash punishment order dated 22.08.2024 passed by respondent no. 3 imposing the penalty of withholding of three increment with cumulative effect (being Annexure 1 to this claim petition);

- b) to treat the period of suspension w.e.f. 30.04.2024 to 22.08.2024 for 115 days as on duty and consequently grant all due salaries and allowances to the petitioner for this period;
- c) direct the respondents to remove all adverse entries from the service record of the petitioner relating to this disciplinary proceeding;

Alternative direct respondent No. 2 to dispose of the appeal dated 14.11.2024 submitted by the petitioner;

- d) to issue any other order or further, order or direction which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case;
- e) award cost of the petition."

2. Heard on admission. During the Course of arguments, learned Counsels for the petitioner submitted that they are prepared to forego the reliefs sought in paragraphs No. (a), (b) & (c) of this claim petition, if the Tribunal permits them to emphasize exclusively on the alternative relief, **"Alternative direct respondent No. 2 to dispose of the appeal dated 14.11.2024 submitted by the petitioner"**, since the Appellate Authority is yet to decide the petitioner's appeal in the instant matter. On 14.11.2024, the petitioner had submitted an appeal before the Managing Director, Uttarakhand Transport Corporation, 2nd Floor Parivahan Bhawan, Kulahan Sahastradhara Road-248013, Dehradun (Respondent No. 2), which is still pending with him since then. The learned Counsel for the petitioner requested the Tribunal that a direction may be issued to the Respondent No. 2 to decide the appeal dated 14.11.2024 urgently.

3. Hence, the petition is hereby decided and disposed of at the admission stage itself, with a direction to the Managing Director,

Uttarakhand Transport Corporation, 2nd Floor Parivahan Bhawan, Kulahan Sahastradhara Road-248013, Dehradun (Respondent No. 2) to decide the pending appeal of the petitioner dated 14.11.2024 with a reasoned and speaking order, within a period of 30 days from the date of presentation of a certified copy of this order of the Tribunal.

4. It is also clarified that the petitioner will have liberty to file claim petition, on the basis of fresh cause of action, if any, which may arise upon the decision on his appeal.

ORDER

Therefore, the Respondent No. 2 is directed to decide the pending appeal dated 14.11.2024 of the petitioner, against the impugned punishment order dated 22.08.2024, with a reasoned and speaking order, within a period of 30 days from the date of presentation of a certified copy of this order of the Tribunal. The petition stands disposed of accordingly.

DATE: MARCH 20, 2025
NAINITAL
BK

(Capt. Alok Shekhar Tiwari)
Member (A)