

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

CLAIM PETITION NO. 66/SB/2025

Sajjan Singh, Ct/ Driver, s/o Sri Udyapal Singh, 40th Battalion P.A.C.,
Haridwar.

.....Petitioner

VS.

1. The Secretary, Home Department, Secretariat, Subhash Road, Dehradun.
2. The Director General of Police, Uttarakhand Police, Subhash Road, Dehradun.
3. The Inspector General of Police, Uttarakhand Police, Dehradun.
4. The Senior Superintendent of Police, District Pauri Garhwal, Pauri.

.....Respondents.

Present: Sri Uttam Singh, Advocate, for the petitioner.(online)
Sri V.P.Devrani, A.P.O., for State Respondents.

JUDGMENT

DATED: JUNE 10, 2025

Justice U.C.Dhyani (Oral)

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

“(i) To call the records of the respondent.

(ii) To condone the delay enabling the petitioner to file the revision petition.

(iii) To direct the respondent/revisional authority to decide the revision within a reasonable time.

(iv) Any other relief the Court may deem fit.”

2. Ld. Counsel for the petitioner prayed that the departmental appeal of the petitioner was rejected by the appellate authority on 11.12.2024, against which petitioner wants to file statutory revision, but there has been delay in filing the same, which may kindly be condoned.

3. Rule 23 of the Uttar Pradesh Police Officers of Subordinate Ranks (Punishment and Appeal) Rules, 1991, as applicable to State of Uttarakhand, reads as below:

“23. Revision-(1) An officer whose appeal has rejected by any authority subordinate to the Government is entitled to submit an application for revision to the authority next in rank above by which his appeal has been rejected within the period of three months from the date rejection of appeal . on such an application the power of revision may be exercised only when in consequent of flagrant irregularity , there appears to have been material injustice or miscarriage of justice.

.....

.....

(2)

[Emphasis supplied]

4. The Tribunal is of the view that petitioner has opportunity to file statutory revision. If there is delay in filing the same, he has also the opportunity to move for condoning the delay before the Ld. Revisional Authority . 90 days’ period for filing the revision has, admittedly, been elapsed. Proper remedy for the petitioner would have been to file an application for condonation of delay and when the same was rejected, should have come to the Tribunal for condoning the delay. The same has not been done. The claim petition appears to be premature.

5. Section 5 of the Limitation Act , 1963, would be applicable to the Appeals and Applications. Revision is also an ‘Application’. Ld. Revisional Authority may, therefore, condone the delay in filing the revision, if sufficient cause is shown.

6. If the delay in filing the revision is condoned by the Ld. Revisional Authority, the revision, if filed, with reasonable promptitude, may be heard and decided on merits, as per law.

7. The claim petition thus stands disposed of, at the admission stage, with the consent of Ld. Counsel for the parties.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: JUNE 10, 2025.
DEHRADUN

VM