

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

Present: Hon'ble Mr. Justice U.C.Dhyani

----- Chairman

Hon'ble Mr. Arun Singh Rawat

-----Vice Chairman (A)

**CLAIM PETITION NO. 79/DB/2025**

Yakub Ali, aged about 48, s/o Late Sri Asgar Ali, r/o Shimla Bypass Road, Sherpur, Dehradun, Uttarakhand.

**.....Petitioner**

**VS.**

1. The State of Uttarakhand through its Principal Secretary, Forest, Sachivalaya, Subhash Road, Dehradun.
2. Principal Chief Conservator of Forest/ HoFF, Uttarakhand, Forest Headquarter, 85 Rajpur Road, Dehradun.
3. Additional/ Principal Chief Conservator of Forest, Garhwal Circle, Kotdwar, Pauri, Uttarakhand.
4. Conservator of Forest, Shivalik Circle, 5 Ansari Road, Kalika Mandir, Machhi Bazar, Paltan Bazar, Dehradun, Uttarakhand.

**.....Respondents**

Present: Sri Varun Agarwal , Advocate, for the petitioner.  
Sri V.P. Devrani, A.P.O. for Respondents.

**JUDGMENT**

**DATED: JULY 03, 2025**

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

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

*“ i To quash the Charge Sheet dated 17.08.2009 (Annexure No. A3), the supplementary chargesheet dated 09.03.2010 (Annexure No. A4) issued against the petitioner along with all other consequential orders including the punishment order dated 30.10.2023 (Annexure No. A5) and the appeal dismissed by the appellate Authority vide order dated 26.07.2024, declaring the same to be legally null & void with its effect and operation and after calling the entire record.*

*ii. To issue order or direction to grant all benefits of salary and other service benefits had it been the impugned order was never in existence.*

*iii To issue order or direction to expunge the adverse entry recorded in the service record of the applicant and grant all the service benefits or pass any other order direction which this Hon'ble Court may deem fit and proper under the facts and circumstances stated in the body of the claim petition.*

*iv. To issue any other order or direction which this Hon'ble Court may deem 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. Petitioner is posted as Deputy Ranger under the respondent department. When he was Forester, disciplinary proceedings were initiated against him, which took almost 14 years to complete, whereafter, petitioner was given major penalty. Aggrieved against the same, he filed departmental appeal, which (departmental appeal) was dismissed by the appellate authority.

4. It is the submission of Ld. Counsel for the petitioner that the petitioner moved revision against the same, followed by several representations for consideration of revision, which (revision) remains undecided so far.

5. It is also the submission of Sri Varun Agarwal, Ld. Counsel for the petitioner that during pendency of revision, petitioner secured a judgment on 04.12.2024 in his favour from the Court of Chief Judicial Magistrate, Haridwar, in criminal complaint case No.

1100 A/2010, under various sections of Indian Forest Act and Wild Life Conservation Act. Ld. Counsel for the petitioner further submitted that the petitioner was acquitted of the charges levelled against him in the criminal case. Ld. Counsel for the petitioner also submitted that charges levelled against the petitioner in departmental enquiry and in criminal case are identical, which might have bearing on the outcome of the revision filed before the revisional authority.

6. Ld. Counsel for the petitioner drew attention of the Tribunal towards copy of revision along with forwarding letter of D.F.O. Lansdown Forest Division, Kotdwar (Annexure: 10), to submit that a direction be given to Ld. Revisional Authority to decide pending revision of the petitioner, as quickly as possible, as per law. Ld. A.P.O. has no objection to such innocuous prayer of Ld. Counsel for the petitioner.

7. The claim petition is disposed of, at the admission stage, with the consent of Ld. counsel for the parties, by directing Ld. Revisional Authority to decide pending revision of the petitioner, in accordance with law, as expeditiously as possible, preferably within 12 weeks of presentation of certified copy of this order, along with copy of revision, enclosing the documents in support thereof. No order as to costs.

8. Rival contentions are left open.

9. Petitioner has liberty to file fresh claim petition, if cause of action survives to him.

**(ARUN SINGH RAWAT)**  
VICE CHAIRMAN (A)

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

*DATE: JULY 03, 2025.*  
*DEHRADUN*

*VM*