

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

CLAIM PETITION NO. 119/SB/2025

1. Sri Prashant Dobhal, s/o Sri P.L. Dobhal, r/o H. No. 145, Lane No. 5 Upper Sarthi Vihar, Dehradun, presently posted as lecturer Electronics, Government Polytechnic, Srinagar, Pauri Garhwal.
2. Sri Ashish Gossain, s/o Late Sri B.S. Gossain, r/o 29 Patel Road, Near Nagar Nigam Dehradun, presently posted as lecturer Electronics, Government Rural Polytechnic, Thalnadi Village, P.O. Bhigukha, Tehsil Kotdwar.

.....Petitioners

VS.

1. State of Uttarakhand, through Secretary, Technical Education, Government of Uttarakhand, Subhash Road, Dehradun.
2. Director, Technical Education, Directorate Technical Education, Uttarakhand, Srinagar, Pauri Garhwal.

.....Respondents

Present: Sri Abhishek Chamoli , Advocate, for the petitioner.(online)
Sri V.P. Devrani, A.P.O. for Respondents.

JUDGMENT

DATED: SEPTEMBER 17, 2025

Justice U.C.Dhyani (Oral)

By means of present claim petition, petitioners seek the following reliefs:

“(i) To pass an order or direction in favour of the petitioners directing respondent to conduct DPC for the Promotion on the vacant Post of Head Of the Department (Electronics) and grant promotion to the petitioner on the post of Head Of the Department (Electronics) keeping in the view the facts highlighted in the body

of the petition and after calling entire record from the respondents.

(ii) To issue any other order or direction which this court may deem fit and proper in the circumstances of this case in the favour of the petitioner.

(iii) To award the cost of the Petition.”

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

3. Petitioners were substantively appointed as Lecturer (Electronics) on 03.09.2015 in the respondent department by way of examination conducted by the Uttarakhand Public Service Commission. In the final seniority list issued by the respondent department, name of petitioner No.1 figured at Sl. No. 11 and petitioner No.2 at Sl. No. 17.

4. It is submitted by Sri Abhishek Chamoli, Ld. Counsel for the petitioners, that both the petitioners successfully qualified the departmental examination, conducted on 06.08.2021 by the respondent department for promotion to the next higher post in the departmental hierarchy *i.e.* Head of Department (Electronics). Petitioner No. 1 was placed at Sl. No. 12 and name of Petitioner No.2 figured at Sl. No. 24. Sri Anil Rautela, who was placed at Sl. No.1 in the final seniority list, and who was also inducted in service on the same date when the petitioners were appointed, *i.e.* 03.09.2015, was promoted to the post of Head of Department (Electronics) *vide* order dated 14.10.2021. Ld. Counsel for the petitioner further submitted that after 14.10.2021, no further promotional exercise has been undertaken by the department while large number of posts of Head of Department (Electronics) are lying vacant. Complete facts have been mentioned in the claim petition itself. The Tribunal need not reproduce those facts, as they are already part of record.

5. The contention of Ld. Counsel for the petitioner is that the petitioners have submitted several representations to respondents in respect of their promotion, but no action has been taken on the same. It is the prayer of Ld. Counsel for the petitioners that respondents may kindly be directed to decide the representations of the petitioners by a

reasoned and speaking order, as per law. (Copies of representations: Annexure- 8 *colly*).

6. Ld. A.P.O. has no objection to such innocuous prayer of Ld. Counsel for the petitioners, if a direction is given by the Tribunal to the competent authority to decide pending representations of the petitioners, as per law.

7. The claim petition is disposed of, at the admission stage, with the consent of Ld. Counsel for the parties, by directing the authority concerned, to decide pending representation(s) of the petitioners by reasoned and speaking order, in accordance with law, as expeditiously as possible, and without unreasonable delay on presentation of certified copy of this order, along copies of representations, enclosing the documents in support thereof. No order as to costs.

8. Rival contentions are left open.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: SEPTEMBER 17, 2025.
DEHRADUN

VM