

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

CLAIM PETITION NO. 132/SB/2025

Sunil Singh Chauhan, s/o Sri Buddhi Singh Chauhan, r/o Village Purohitwala Ghangora, District- Dehradun.

.....Petitioner

VS.

1. State of Uttarakhand through its Secretary Energy, Government of Uttarakhand, Subhash Road, Dehradun.
2. Chief Engineer, Uttarakhand Power Corporation Ltd., Gabbar Singh Bhawan, Kanwali Road, Dehradun.
3. Executive Engineer, Electricity Test Division (Urban), Uttarakhand Power Corporation Ltd., 18 E.C. Road, Dehradun.
4. Accounting Officer, Uttarakhand Power Corporation Ltd., Gabbar Singh Bhawan, Kanwali Road, Dehradun.

.....Respondents

Present: Sri Abhishek Divakar Chamoli &
Ms. Manisha Kaintura.(online), Advocates, for petitioner.
Sri V.P.Devrani, A.P.O., for Respondent No.1.(online)

JUDGMENT

DATED: DECEMBER 08, 2025

Justice U.C.Dhyani (Oral)

Petitioner is husband of Smt. Uma Rawat Chauhan (since deceased). Smt. Uma Rawat Chauhan was working as Office Assistant in the Respondent Corporation. She had nominated Ms. Pooja Rawat, her sister, as nominee in her service record, in the year 2005, when she

was unmarried. She married to Sri Sunil Singh Chauhan, petitioner, in the year 2017. She died in the year 2021. During her service, Smt. Uma Rawat Chauhan, after marriage with the petitioner, could not change the nomination in favour of her husband. The controversy has arisen only because Smt. Uma Rawat Chauhan could not name the petitioner (husband) in her service book.

2. Petitioner has been given all the dues of Late Smt. Uma Rawat Chauhan (wife). He got employment under the Uttarakhand (Uttar Pradesh Recruitment of Dependents of Government Servants Dying in Harness Rules, 1974) (Amendment) Rules, 2023, in place of her late wife.

3. Sri Ankit Jain, Executive Engineer in the Respondent Corporation and Ms. Sheetal Maindoli, staff member in the Respondent Corporation, are present in the Tribunal. They have filed written statement on behalf of UPCL, which (W.S.) is taken on record.

4. The above noted facts have been mentioned on the basis of contents of the petition as also on disclosure of the officials of the Respondent Corporation, who are present in the Tribunal.

5. Definition of 'Family' has been given in the Uttaranchal General Provident Fund Rules, 2006, which were amended in the year 2017, to mean that in case of female contributor, her husband, children and widow of deceased son and children (will be entitled to GPF). Solely dependent unmarried brother and sister of the contributor have also been included, within the definition of the 'Family'.

6. Ld. Counsel for the petitioner submitted that Ms. Pooja Rawat(sister) is a married woman and was not dependent on Smt. Uma Rawat Chauhan (contributor).

7. Sri Ankit Jain, Executive Engineer, UPCL, Respondent No.3, submitted that succession certificate has been filed by the petitioner in the office of UPCL. Sri Abhishek Chamoli, Ld. Counsel for the petitioner submitted that such certificate has also been filed with the claim petition as Annexure-6. Petitioner had to file petition only because

Ms. Pooja Rawat, sister of late Smt. Uma Chauhan, raised objection in the office of Respondent Corporation and stated that GPF should be released in her favour. But, since Ms. Pooja Rawat has not been arrayed as party respondent, therefore, no decisive verdict can be given by the Tribunal in favour of the petitioner without hearing Ms. Pooja Rawat, who is not a party to the claim petition.

8. The Tribunal could have directed the petitioner to implead Ms. Pooja Rawat as party respondent, but Sri Abhishek Chamoli, Ld. Counsel for the petitioner submitted that since the law is in favour of the petitioner, therefore, Respondent Corporation may be directed to decide petitioner's case, in accordance with law. The officials present in the Tribunal, have no objection to such innocuous prayer of the Ld. Counsel for the petitioner.

9. Ld. Counsel for the petitioner submitted that petitioner will make a representation to Respondents No. 2 & 3, who should be directed to consider the case of the petitioner, as per law, to which Respondent No.3, who is present here, has no objection.

10. The claim petition is disposed of, with the consent of both the parties by directing Respondent No. 3 to consider the case of the petitioner, on his representation, after hearing him as well as Ms. Pooja Rawat (sister), as per the scheme of law governing the field. The representation of the petitioner be decided by the authority concerned as expeditiously as possible, on presentation of certified copy of this order along with representation and documents in support thereof.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: DECEMBER 08, 2025.
DEHRADUN

VM