

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

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

----- Chairman

Hon'ble Mr. Arun Singh Rawat

-----Vice Chairman (A)

CLAIM PETITION NO. 96/NB/DB/2025

1. Harish Chandra Bhatt (Male), a/a 58 years, S/o Mohan Chandra Bhatt, serving as Assistant Teacher L.T.Grade in Govt. Higher Secondary School Nainibhanar Distt. Pithoragarh.
2. Vidya Prasad Bhatt (Male), a/a 56 years, S/o Chandra Dutt Bhatt, serving as Assistant Teacher L.T.Grade in Shri Mahakali Govt. Inter College Gangolihat Distt. Pithoragarh.
3. Balwant Singh Karki (Male), a/a 57 years, S/o Bahadur Singh Karki, serving as Assistant Teacher L.T.Grade in Govt. Inter College Khairoli Distt. Pithoragarh.
4. Nanda Bhatt (Female), a/a 59 years, D/o Keshav Dutt Bhatt, serving as Assistant Teacher L.T.Grade in Govt. Higher Secondary School Kumanyachaur Distt. Pithoragarh.
5. Manjula Awasthi (Female), a/a 59 years, W/o Pitamber Awasthi, serving as Assistant Teacher L.T.Grade in Govt. Higher Secondary School Nainibhanar Distt. Pithoragarh.
6. Mahesh Chandra Upadhyay (Male), a/a 59 years, S/o Nityanand Upadhyay, serving as Assistant Teacher L.T.Grade in Govt. Inter College Gurangchaur Distt. Pithoragarh.
7. Japhar Hussain (Male), a/a 57 years, S/o Abrar Hussain, serving as Assistant Teacher LT.Grade in Govt. Inter College Darau Distt. U.S. Nagar.
8. Suresh Chandra (Male), a/a 56 years, S/o Khushi Ram, serving as Assistant Teacher L.T.Grade in Govt. Inter College Dasainthal Distt. Pithoragarh.
9. Deepak Chandra Pandey (Male), a/a 58 years, S/o Vasudev Pandey, serving as Assistant Teacher L.T.Grade in Govt. Inter College Pawalgarh Kotabag Distt. Nainital

.....Petitioners

**WITH
CLAIM PETITION NO. 95/DB/2025**

1. Istfhaq Ansari (male), a/a 51 years, S/o Manjur Haq Ansari, serving as Lecturer in P.M. Shri A.U. Govt. Inter College Rudrapur, Sitarganj. Distt. U.S. Nagar.

2. Jagdish Chandra Tatrari (Male), a/a 51 years, S/o Shankar Dutt Tatrari, serving as Lecturer in P.M. Shri A.U. Govt. Inter College Rudrapur, Sitarganj, Distt. U.S. Nagar.
3. Mritunjay Singh (Male), a/a 46 years, S/o Bhulan Singh, serving as Lecturer in in P.M. Shri A.U. Govt. Inter College Rudrapur, Sitarganj, Distt. U.S. Nagar.

.....Petitioners

vs.

1. State of Uttarakhand through Secretary, School Education, Government of Uttarakhand, Dehradun.
2. Director School Education, Nanoorkhera, Dehradun.

.....Respondents

(virtually)

Present: Sri Lalit Samant, Advocate, for the petitioner.
Sri Kishore Kumar, A.P.O., for Official Respondents.

JUDGMENT

DATED: DECEMBER 18, 2025.

Justice U.C. Dhyani (Oral)

Since the facts of the above noted claim petitions are almost the same, and the prayer sought in both the petitions is also the same, therefore, they are being disposed of by a common judgment and order for the sake of convenience. However, for the sake of brevity, facts of Claim Petition No. 96/NB/DB/2025 alone are being mentioned.

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

“(i) To direct the respondent no.02 to decide representation dated 29/09/2025 of the claimants/petitioners within stipulated time framed by Hon'ble Tribunal (contained as Annexure No. 01 of the claim petition) in the interest of justice.

- (ii) To direct the respondent no.02 to decide representation dated 29/09/2025 of the claimants in consonance with judgment and order dated 13-03-2024 passed by Hon'ble High Court in writ petition no. 391 of 2024 (S/S) Chandra Singh Chiral and others V/s State and another. (Contained as Annexure No 11) to this claim petition in the interest of justice.*
- (iii) To issue any other order or direction which this Hon'ble Tribunal may deem fit and proper under the facts and circumstances of the case in favor of the claimants and against the respondents.*
- iv) Award cost of the Petition to the present Petitioners."*

3. Ld. Counsel for the petitioners submitted that petitioners possess required qualification for appointment as Assistant Teacher, L.T.Grade/Lecturer. Since their appointment, petitioners are discharging their duties continuously and satisfactorily. Government has revised pay scales on the recommendation of 7th Pay Commission, which was effective from 01.01.2016.

4. Rule 13(i) (ii) of the Uttarakhand Government Servant Salary Rules, 2016 stipulates that in the case of promotion or Assured Career Progression or time scale/selection pay scale, one additional increment will be given and employee will be placed in next higher scale. Petitioners have not been given promotional pay scale as per Rule 13(i) (ii) of the Uttarakhand Government Servant Salary Rules, 2016. They should be given promotional pay scale. They requested for the same, but nothing has been done. According to Ld. Counsel for the petitioners, similarly placed persons Sri Chandra Singh Chiral and others have been given such benefit. Petitioners have made a representation, which is pending determination of Respondent No.2.

5. Sri Kishore Kumar, Ld. A.P.O. has no objection to such innocuous prayer.

6. Innocuous prayer of the petitioners is worth accepting.

7. The claim petitions are disposed of, at the admission stage, with the consent of Ld. Counsel for the parties, by directing Respondent No.2, to

decide the representation(s) of the petitioners by a 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 with copy of representation, enclosing the documents in support thereof.

8. Rival contentions are left open.

9. Let copy of this judgment be placed on the file of Claim Petition No. 95/NB/DB/2025 Ishtfaq Ansari vs. State and others.

(ARUN SINGH RAWAT)
VICE CHAIRMAN (A)

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: DECEMBER 18, 2025
DEHRADUN

VM