

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

CLAIM PETITION NO. 23/DB/2026

Sri Rajesh Uniyal, s/o Sri Narvdeswar Prasad Uniyal, aged about 51 years, r/o House No. 298/1 Block-3, Khuubura, Kanwali Road, Dehradun. Presently posted as Revenue Sub-Inspector, Vikasnagar, Dehradun.

.....**Petitioner**

VS.

1. State of Uttarakhand through Secretary, Revenue, Govt. of Uttarakhand.
2. Board of Revenue, Uttarakhand through Secretary, Mussoorie Bypass Ring Road, Dehradun.
3. District Magistrate, Dehradun, office of D.M. Dehradun, Nardev Shastri Marg, Dehradun.

.....**Respondents**

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

JUDGMENT

DATED: JANUARY 29, 2026

Justice U.C.Dhyani (Oral)

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

“(issue a, order, or direction quashing the impugned order dated 19/12/2025 passed by Respondent No. 3, whereby the request of the petitioner for forgoing promotion to the post of Revenue Inspector (Plains) under The Uttarakhand State Services Forgo of Promotion Rules, 2024 has been rejected;

ii. issue a order, or direction commanding the respondents to accept the request of the petitioner for forgo of promotion in accordance with The Uttarakhand State Services Forgo of Promotion Rules, 2024 and permit the petitioner to continue on his substantive post of Revenue Sub-Inspector (earlier known as Lekhpal/Patwari) with all consequential and attendant benefits;

iii. issue a order, or direction commanding the respondents to decide the subsequent representation submitted by the petitioner along with affidavit and requisite documents, within a stipulated time period, strictly in accordance with law;

v. issue any other, order, or direction which this Hon'ble Court/Tribunal may deem fit and proper in the facts and circumstances of the case;

Award costs of the present petition in favour of the petitioner..”

2. The claim petition is supported by the affidavit of petitioner. Relevant documents have been filed along with the same.

3. Petitioner was appointed as Lekhpal in the respondent department. *Vide* Office Memorandum issued by Respondent No.2 to Respondent No.3, name of the petitioner was sent for promotion. Petitioner submitted a representation under Rule 4(2) of the Uttarakhand State Services Forgo of Promotion Rules, 2024, seeking permission to forgo the promotion, but Respondent No.3 rejected petitioner's request for forgoing promotion, on the ground of non-compliance of the aforesaid Rules.

4. Ld. Counsel for the petitioner submitted that petitioner has made a fresh representation on 11.09.2025 (Annexure: A-3) mentioning therein his problems, along with supporting documents, to accept his request for forgoing the promotion to the post of Revenue Inspector, which representation is pending consideration of the authority concerned.

5. It is the submission of Ld. Counsel for the petitioner that the authority concerned may kindly be directed to decide pending representation of the petitioner, considering the difficulties faced by him and mentioned in the representation. Ld. A.P.O. has no objection to such innocuous prayer, if a direction is given to consider pending representation of the petitioner, as per law.

6. The claim petition is disposed of, at the admission stage, with the consent of Ld. counsel for the parties, by directing Respondent No.3 to decide pending representation of the petitioner, 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. No order as to costs.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: JANUARY 29, 2026.
DEHRADUN

VM