

**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. 115/SB/2025

1. Smt. Monika Arya, 39 years w/o Late Sri Rakesh Kumar, 74-Arya Nagar, Block-2, Near Shiv Mandir, Dehradun-01.
2. Master Arshit Kumar, 08 years (minor), s/o Late Sri Rakesh Kumar, 74-Arya Nagar, Block-2, Near Shiv Mandir, Dehradun-01.

.....Petitioners

Versus

1. The Government of Uttarakhand Through Principal Secretary (Energy & Renewable Energy Deptt), Shubash Road, Dehradun.
2. M/s Uttarakhand Power Corporation Ltd. Through the Managing Director Gabar Singh Bhawan, Balliwala Chowk, Victoria Cross Vijeyta, Kanwali Road, Balliwala Dehradun.
3. The Superintendent Engineer, Uttarakhand Power Corporation Ltd, Vidhyut Vitran Mandal (Rural), 18 EC Road, Dehradun- 248001.
4. The Executive Engineer Uttarakhand Power Corporation Ltd, Vidhyut Vitran Khand, 359/2, Dharampur, Dehradun.
5. The Sub Divisional Officer, Uttarakhand Power Corporation Ltd, 33/11 KV Sub Station, Aaraghari 5A Guru Teg Bahadur Road, Dehradun - 248001.
6. Smt. Maya Devi, m/o Late Sri Rakesh Kumar, r/o 70 Nalapani Road, Dehradun.

.....Respondents

Present: Sri Uttam Singh, Advocate, for the petitioner.(online)
Sri V.P.Devrani, A.P.O., for Respondent No.1.

Sri Manish Kumar Singh, Advocate for Respondents No. 2 to 5
Ms. Neha Agarwal, Advocate, for Respondent No.6.

JUDGMENT

DATED: JANUARY 02.2026.

Justice U.C. Dhyani (Oral)

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

- "I) To direct the respondent/Nigam to release the Gratuity alongwith 10% interest p.a. to the petitioner.*
- II) To direct the respondent to release the other dues such Leave Encashment, Insurance and other benefit as admissible to the employee of the Nigam on death.*
- III) To pass any other order the Hon'ble Tribunal may deem fit.*
- IV) Award the cost of the petition to the petitioner."*

2. Ld. Counsel for the petitioner pointed out that a legal notice was given on behalf of petitioners, to Respondent Uttarakhand Power Corporation Ltd on 17.07.2025, but no decision has been taken(by the Respondent Corporation) on the same, so far.

3. Sri Manish Kumar Singh, Ld. Counsel for UPCL, submitted that legal notice sent on behalf of petitioner, shall be taken note of by Respondent Corporation and suitable action shall be taken on the same, as per law, at an early date, without unreasonable delay.

4. A decision rendered by Hon'ble High Court on 27.10.2025 in WPSS No. 1703/2025 has been placed before the Bench, to submit that the Hon'ble Court, too has disposed of the writ petition, which was pending before it, with direction to the competent authority in UPCL to take decision on petitioner's application within eight weeks, from the date of presentation of certified copy of this order. The text of the order of Hon'ble High Court in WPSS No. 1703/2025, reads as under:

"2. Petitioner has applied for compassionate appointment in place of her husband who passed away while serving as Technician Grade-1 in Uttarakhand Power Corporation Limited (UPCL). The application was allegedly made on 18.09.2025. Petitioner has sought a mandamus to the authorities to take decision on said application.

3. Mr. Dharmendra Barthwal, learned counsel appearing for Uttarakhand Power Corporation Limited submits that petitioner was not having good relationship with her husband and her husband had executed a will in favour of his sister. He submits that petitioner has filed a suit for cancellation of that will and has also approached the Public Service Tribunal (PST) claiming post retiral benefits.

4. Be that as it may, since petitioner's application is pending before the competent authority, therefore, writ petition is disposed of with direction to competent authority in UPCL, to take decision on petitioner's application, within eight weeks from date of presentation of certified copy of this order...."

5. Sri Manish Kumar Singh, Ld. Counsel for UPCL, pointed out that the petitioner has filed a suit (being O.S. No. 222/2025) in the Court of Ld. Civil Judge, Junior Division, Dehradun for cancellation of will, executed by Sri Rakesh Kumar, in favour of his sister Rekha Rani.

6. Sri Uttam Singh, Ld. Counsel for the petitioner prayed that the similar order, which has been passed by the Hon'ble High Court on 27.10.2025 in WPSS No. 1703/2025, may kindly be passed, while disposing of present claim petition.

7. Ld. Counsel for respondents have no objection to such innocuous prayer.

8. The claim petition is disposed of, at the admission stage, with the consent of Ld. Counsel for the parties, by directing the competent authority in UPCL to decide the pending application of the petitioner, 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 application(or Legal Notice), enclosing the documents in support thereof.

9. Rival contentions are left open.

(ARUN SINGH RAWAT)
VICE CHAIRMAN (A)

(JUSTICE U.C.DHYANI)
CHAIRMAN

*DATE: JANUARY 02, 2026
DEHRADUN*