

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

EXECUTION PETITION NO. 04/SB/2026

*(Arising out of judgment dated 24.10.2025,
passed in Claim petition No. 109/SB/2023)*

Sri Arun Chandra Kotnala, s/o Sri Sadanand Kotnala, r/o Shanti Vihar,
Phase-II, Lane-16, Haridwar Bypass, Dehradun, Uttarakhand.

.....**Petitioner/applicant**

vs.

1. The State Uttarakhand through Secretary, Ayush Government of Uttarakhand, Dehradun.
2. Director, Directorate of Ayurvedic & Unani Services, Uttarakhand, Dehradun.
3. Director, Treasury Pension and Entitlement, Uttarakhand, 23 Laxmi Road, Dalanwala, Dehradun.

.....**Respondents**

Present: Dr. N.K.Pant, Advocate, for the Petitioner/applicant.(online)
Sri V.P. Devrani, A.P.O. for the State Respondents.

JUDGMENT

DATED: FEBRUARY 05, 2026

Justice U.C.Dhyani (Oral)

By means of present execution petition, petitioner-applicant seeks to enforce order dated 24.10.2025, passed by this Tribunal in Claim Petition No. 109/SB/2023, Arun Chandra Kotnala vs. State of Uttarakhand & others.

2. The execution application is supported by the affidavit of the petitioner-applicant, along with copy of the judgment passed by the Tribunal on 24.10.2025.

3. Relevant paragraphs of the decision rendered by this Tribunal on 24.10.2025, are reproduced herein below for convenience:

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

- “(i) Issue an order or direction calling for the record and to direct the respondent for payment of Rs. 283917/-with interest.
- (ii) Issue an order or direction calling for the record and to direct the respondent for interest on the one year late payment of pension and other retiral dues and to amend the GRD letter no. 4012 dated 19.09.2022 as per direction of GO dated 28.07.1989 read with the Punjab State and another vs Rafiq Masih (the matter disposed of by the Hon'ble Apex Court).
- (iii) Issue any suitable claim, order of direction which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.
- (iv) Award the cost of claim petition to the Petitioner.”

2. Petitioner was initially appointed as Typist-cum-Accounts Clerk in Board of Revenue, Lucknow, U.P. Thereafter, he was promoted as Assistant Accountant. The post of Accountant and Assistant Accountant was restructured, whereby 80% posts of Accountant were upgraded. Petitioner was given the pay scale of Accountant. After 14 years of service, he was given first promotional pay scale and on completion of 16 years of service, he was given benefit of 2nd ACP.

2.1 In the year 2013, the petitioner was promoted as Assistant Account Officer and was given posting in the office of Chief Engineer, Level-1, Public Works Department, Dehradun.

2.2 *Vide* office memorandum dated 31.01.2018, issued by Board of Revenue, Uttarakhand, the date of appointment of petitioner on the post of Assistant Accountant was determined as on 30.05.1991 pursuant to regularization order dated 02.03.2002. Petitioner retired on 31.10.2021.

2.3 Objections were raised by the Director, Treasury, Pension and Entitlement regarding benefit of 3rd ACP *w.e.f.* 30.05.2018. Correspondence took place between the P.W.D. and Directorate, Treasury, Pension and Entitlement. The retiral dues of the petitioner have yet not been settled. A sum of Rs. 2,83,917/- was recovered from the gratuity of the petitioner. Petitioner moved representations, but the same have not been decided so far.

3. Petitioner has filed affidavit in support of the claim petition along with relevant documents.

4. The claim petition has been contested on behalf of the respondents. Respondents No. 1 to 3 has filed counter affidavits denying the material averments contained in the claim petition. Relevant documents have been filed by the respondents.

5. Petitioner has filed rejoinder affidavits against the counter affidavits filed on behalf of respondents.

6. Today, Dr. N.K. Pant, learned Counsel for the petitioner submitted that the petitioner has moved representation to respondent no. 2, which has not been decided so far. His innocuous prayer is that the respondent no. 2 may be directed to decide pending representation of the petitioner, as expeditiously as possible, as per law.

7. Learned A.P.O. has no objection to such innocuous prayer of learned Counsel for the petitioner.

8. The Claim Petition is disposed of, with the consent of learned Counsel for the parties, by directing respondent no. 2 to decide the representation of the petitioner, by a reasoned and speaking order, as expeditiously as possible, in accordance with law, without unreasonable delay, on presentation of certified copy of this order along with fresh representation enclosing the documents in support thereof.

No order as to costs.

9. Rival contentions are left open.”

4. Ld. Counsel for the petitioner/applicant submitted that copy of judgment dated 24.10.2025 was supplied by the petitioner to Respondent No.2, on 10.11.2025 (Annexure: E-2), but till date judgment dated 24.10.2025 has not been complied with by the authority concerned. Ld. Counsel for the petitioner/applicant further submitted that casual approach on the part of opposite party/respondent should not be tolerated and strict direction should be given to them to ensure compliance of such order.

5. Ld. A.P.O., on seeking instructions from Dr. Lalit Tiwari, Staff Officer, Legal Cell, stated that representation of the petitioner shall be decided within two weeks.

6. The execution petition is disposed of, at the admission stage, with the consent of Ld. Counsel for the parties, by directing the authority concerned, to comply with the order of the Tribunal dated 24.10.2025, passed in Claim Petition No. 109/SB/2023, Arun Chndra Kotnala vs. State of Uttarakhand and others, as expeditiously as possible and without unreasonable delay on presentation of certified copy of this order, failing which the concerned authority may be liable to face appropriate action under the law governing the field.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: FEBRUARY 05, 2026.
DEHRADUN

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