

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL
DEHRADUN**

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

----- Chairman

Hon'ble Mr. Arun Singh Rawat

-----Vice Chairman (A)

CLAIM PETITION NO. 44/DB/2022

Sri Praveen Dangwal, aged about 37 years, s/o Sri Om Prakash Dangwal, presently posted as Ward Boy, Government Ayurvedic Hospital, Village-Hallumazra, Tehsil- Bhagwanpur, District-Haridwar.

.....Petitioner

Versus

1. State of Uttarakhand through Secretary, AYUSH Secretariat, Dehradun.
2. Director, Ayurvedic and Unani Services, Uttarakhand, Dehradun.
3. District Ayurvedic and Unani Officer, Haridwar.
4. District Ayurvedic and Unani Officer, Pithoragarh.

.....Respondents.

Present: Sri H.C. Bhatia, Advocate for the petitioner.(online)
Sri V.P.Devrani, A.P.O. for the Respondents.

JUDGMENT

DATED: FEBRUARY 11, 2026.

Justice U.C.Dhyani (Oral)

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

*“(I) To set aside/quash the impugned order dated 23.07.2021
(Annexure No. 1).*

(II) To direct the respondents to release the arrears of salary for the period 04.08.2007 till 20.08.2010 (from the date of termination of the petitioner till the date of joining of the petitioner in the department) alongwith 09% simple interest from 2010 till the actual payment to the petitioner.

(III) To direct the respondents to provide all consequential benefits to the petitioner of the services including the ACP treating the petitioner in service since 23.02.2006 in view of order dated 23.02.2006 issued by District Ayurvedic and Unani Officer, Pithoragarh.

(V) Issue any other relief, which this Hon'ble Court may deem fit and proper in the circumstances of the case.

(VI) Cost of petition may be awarded in favour of petitioner."

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

3. Claim petition has been contested on behalf of respondents. C.A. has been filed by Dr. Swastik Suresh, District Ayurvedic & Unani Officer, Haridwar, Govt. of Uttarakhand, on behalf of Respondents No. 1, 2 & 3.

4. Petitioner joined his service as Ward-Boy (*Anusewak*) in the Respondent Department on 23.02.2006 in the pay scale of Rs.2,550-55-2,660-60-3,200/-. His services were terminated *vide* order dated 04.08.2007, in view of the letter issued by Director, Ayurvedic and Unani Services, Uttarakhand, on 12.07.2007. Like petitioner, services of other similarly situated employees, who were working in the respondent department, were also terminated in view of the same letter (dated 12.07.2007).

5. *Vide* Government Order dated 28.07.2010, services of petitioner and all the other similarly situated employees, (but for the petitioner) were restored, whose services were terminated in view of letter dated 12.07.2007.

6. Ld. Counsel for the petitioner submitted that the similarly situated employees, whose services were terminated, approached Hon'ble High Court and the Hon'ble Court, *vide* judgment dated 24.10.2013 passed in WPSS No.377/2013, Rajendra Singh Rawat &

others vs. State of Uttarakhand and others and judgment dated 27.10.2014 rendered in WPSS No. 324/2013, Dilip Singh & others vs. State of Uttarakhand and others, granted the benefit of salary from the date of termination till the date of reinstatement in service to the writ petitioners.

7. In reply, Ld. A.P.O., on the strength of para 21 of the C.A., submitted that the writ petitioners of the abovementioned writ petitions were appointed on contractual basis while the petitioner was appointed on part-time service (P.T.S.) and later on converted on contractual basis. The Tribunal observes that there is hardly any difference in the nature of the employment of the petitioner and those who have been granted relief by the Govt. on the basis of decisions of the Hon'ble Court.

8. Sri H.C.Bhatia, Ld. Counsel for the petitioner submitted that since the same relief has been granted by the Hon'ble High Court *vide* judgment dated 24.10.2013 passed in WPSS No.377/2013 and judgment dated 27.10.2014 rendered in WPSS No. 324/2013, therefore, arrears of salary from the date of termination till the date of reinstatement in service, should also be released to the petitioner. Ld. Counsel for the petitioner, therefore, prays that the claim petition be decided in terms of WPSS No. 377/2013 and WPSS No.324/2013.

9. Ld. A.P.O. fairly admitted that present claim petition is covered by the aforesaid judgments of Hon'ble High Court.

10. Like case should be decided alike. In view of the submissions of Ld. Counsel for the parties and considering the peculiar facts of the case, the Tribunal is of the view that the petitioner can also be granted the same relief which has been granted to the writ petitioners by the Hon'ble High Court on 24.10.2013 in WPSS No.377/2013 Rajendra Singh Rawat & others vs. State of Uttarakhand and others and on 27.10.2014 in WPSS No. 324/2013, Dilip Singh & others vs. State of Uttarakhand and others and present claim petition should be decided in the same terms.

11. The claim petition is, accordingly, decided in terms of the decisions rendered by the Hon'ble High Court on 24.10.2013 in WPSS No.377/2013, Rajendra Singh Rawat & others vs. State of Uttarakhand and others and on 27.10.2014 in WPSS No. 324/2013 Dilip Singh & others vs. State of Uttarakhand and others. Respondents are directed to release arrears of salary to the petitioner and other consequential benefits from the date of termination till the date of his reinstatement in service, like the writ petitioners of WPSS No.377/2013 and WPSS No. 324/2013.

(ARUN SINGH RAWAT)
VICE CHAIRMAN (A)

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: FEBRUARY 11, 2026
DEHRADUN

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