

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

CLAIM PETITION NO. 32/SB/2026

Jagmohan Singh Chauhan, aged about 65 years, s/o Sri Mohar Singh Chauhan, Retd. Executive Engineer, Public Works Department, Uttarakhand, r/o 9-B Phase-II, Engineer Enclave, Kanwali, GMS Road, Dehradun..

.....Petitioner

vs.

1. State of Uttarakhand through Secretary, Public Works Department, Govt. of Uttarakhand, Secretariat, Subhash Road, Dehradun.
2. Engineer-in-Chief and Head of the Department, Public Works Department, Uttarakhand, Yamuna Colony, Dehradun, Uttarakhand.
3. Executive Engineer, Office of the Executive Engineer, Provincial Division, Public Works Department, Uttarakhand, Kutcherri Road, Dehradun.

.....Respondents

Present: Sri L.K.Maithani, Advocate, for the petitioner.
Sri V.P. Devrani, A.P.O. for Respondents.

JUDGMENT

DATED: FEBRUARY 23, 2026

Sri Arun Singh Rawat, Vice Chairman (A)

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

“a) To quash the impugned pay fixation order dated 22.04.2024 and impugned recovery chart / recovery order (annexure No. A-1 and A-2) of respondent no. 3 with its

effect and operation and restore the pay fixation which he actually got prior to retirement.

b) To issue an order or direction to the concerned respondents to restore the benefit of second ACP grade pay Rs. 6600 since 01.01.2006 as sanctioned by the office order dated 07.04.2010 and grant the benefit of para 4 of the Go. dated 23.08.1994 to the petitioner on dated 05.11.2002 when the actual promotion was granted to the petitioner on the pay scale of Assistant Engineer with all consequential benefits of service.

c) To issue an order or direction to the concerned respondents to pay the interest on the delayed payment of the amount every month pension from the date of retirement till the date of actual payment 06.11.2025 and further interest on the amount of interest calculated upto the date 06.11.2025 be paid to the petitioner till the date of actual payment.

d) To issue an order or direction to the concerned respondents to pay interest on delayed payment of the amount of remaining gratuity Rs. 15,19,548/ and amount of commutation as per GPF rate since the date of his retirement upto the date of actual payment 06.11.2025 and further interest on the amount of interest calculated upto the date 06.11.2025 be paid to the petitioner till the date of actual payment.

e) To issue an order or direction to the concerned respondent to remit back the recovered amount Rs. 4,80,452/ with interest as per GPF rate since the date of his retirement upto the date of actual payment.

f) To issue an order or direction to concerned respondents to pay the interest on the delay payment of the amount of Leave encashment Rs. 15,73,650/ to the petitioner from the date of retirement till the date of actual payment 08.06.2021 and further interest on the amount of interest calculated upto the date 08.06.2021 till the date of actual payment.

g) To issue an order or direction to concerned respondents to pay the actual 10% amount of GPF Rs. 5,90,966/= instead of Rs. 5,63,339/= along with interest to the petitioner from the date of retirement till the date of actual payment.

h) To issue an order or direction to concerned respondents to pay the interest on the delay payment of the amount of GIS Rs. 1,50,973/= to the petitioner from the date of retirement till the date of actual payment 04.09.2025 and further interest on the amount of interest calculated upto the date 04.09.2025 till the date of actual payment.

i) To issue any other suitable order or direction which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

j) Cost of the petition."

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 Mali in the pay scale of Rs.305-5-330-EB-6-360-EB-6-390 on 21.11.1982 in Upper Ganga Jalagam. On implementation of 5th Pay Commission, he was granted revised pay scale of Mali Rs.750-12-870-940/-. Further, on completion of 10 years of satisfactory service in Class-IV, he was granted promotional pay scale of Rs.775-12-871-14-1040/-, according to the existing policy *w.e.f.* 21.11.1992.
4. According to the petition, petitioner was promoted on the post of Forest Guard in the pay scale of Rs.825-15-900-EB-20-1200 under 10% quota vide order dated 01.07.1997. On completion of eight years of service as Forest Guard, petitioner was granted selection Grade of Rs.3590- to 3660/- *w.e.f.* 01.07.2005. Petitioner was also extended 6th Pay Commission benefits.
5. Vide G.O. dated 28.02.2009, Government implemented ACP Scheme parallel to the Central Government on completion of 10/20/30 years of service on grade pay basis to be effected from 01.01.2006. The Government vide order dated 06.11.2013 implemented ACP on promotional post basis.
6. Ld. Counsel for the petitioner submitted that pay of the petitioner has been refixed vide letter dated 11.03.2024, ignoring the service Rules and G.O. in relation to the grant of ACP/MACP. Petitioner has moved a representation on 18.09.2025 to Respondent No.5 for refixing his pay correctly.
7. The sole prayer of Ld. Counsel for the petitioner is that a direction may kindly be given to the respondents to decide the representation of the petitioner, by a reasoned and speaking order, at

an earliest possible, in accordance with law. Ld. A.P.O. has no objection to such innocuous prayer of Ld. Counsel for the petitioner, if a direction is given to the authority concerned to decide the representation of the petitioner, as per rules. .

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 to decide the representation of the petitioner, in accordance with law, as expeditiously as possible, but not later than two months of presentation of certified copy of this order along with copy of representation, enclosing the documents in support thereof.

9. Rival contentions are left open.

(RAJENDRA SINGH)
ACTING CHAIRMAN (A)
(*virtual*)

(ARUN SINGH RAWAT)
VICE CHAIRMAN (A)

DATE: FEBRUARY 23, 2026.
DEHRADUN

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