

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

Present: Hon'ble Mr. Rajendra Singh

----- Acting Chairman

Hon'ble Mr. Arun Singh Rawat

-----Vice Chairman (A)

**CLAIM PETITION NO. 83/SB/2025**

Sri Kanwar Singh aged about 68 years, s/o Late Sri Chhotu Singh Retd. Driver, Uttarakhand Transport Corporation, Dehradun, r/o H.No. 336, Upper Rajeev Nagar, P.O. Nehrugram, District Dehradun, Uttarakhand.

**.....Petitioner**

**VS.**

1. State of Uttarakhand through Secretary, Transport, Government of Uttarakhand, Secretariat, Subhash Road, Dehradun.
2. Managing Director, Uttarakhand Transport Corporation, Office of the Transport Commissioner, Kulhan, Sahastradhara Road, Dehradun.
3. Divisional General Manager (Operation), Uttarakhand Transport Corporation, Gandhi Road, Dehradun.

**.....Respondents**

Present: Sri L.K.Maithani & Sri R.C.Raturi, Advocates,  
for the petitioner.

Sri V.P.Devrani, A.P.O., for RespondentNo.1.

Sri Vaibhav Jain(online) & Sri Ramdev Sharma, Advocates,  
for Respondents No. 2 & 3

**JUDGMENT**

**DATED: MARCH 25, 2026**

**Sri Arun Singh Rawat, Vice Chairman (A)**

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

*“i) To issue an order or direction to the respondents to pay the amount of arrears of ACP and three increments Rs.48,277/- with penal interest from the year 2016 till the date of actual payment.*

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

*iii) To award the cost of the petition to 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 initially appointed as Driver in the Respondent department and retired from the office of Respondent No.3 on 30.09.2016.

4. In the year 2010, departmental proceedings were initiated against the petitioner on the charges of unauthorized absence from service. The disciplinary authority *vide* office order No. 1605 dated 24.08.2011, punished the petitioner with withholding of four increments with cumulative effect.

5. In departmental appeal, the appellate authority, Respondent No.2, *vide* appellate order dated 31.07.2015, modified the punishment dated 24.08.2011, by withholding four increments without any cumulative effect and sanctioned the leave without pay for the period of absence.

6. Petitioner filed revision dated 19.05.2015 before Respondent No.2, against punishment order dated 24.08.2011 & appellate order dated 31.07.2015. Respondent No.2, *vide* office order No. 729 dated 09.08.2016, quashed the punishment order dated 24.08.2011 and appellate order dated 31.07.2015, and passed the order for withholding only one increment without cumulative effect and sanctioned the leave without pay for the period of absence. (Copy of order dated 09.08.2016: Annexure: A-1)

7. After awarding punishment dated 24.08.2011, the respondent withheld the four increments of the petitioner and refixed and reduced the pay of the petitioner. After the modification of

punishment order, in revision, the benefit of 2<sup>nd</sup> ACP grade pay Rs. 2800/- was sanctioned to the petitioner *vide* order of Respondent No.3. dated 07.09.2016, and accordingly, the pay of the petitioner was fixed and arrears of ACP and three increments was made Rs.48.277/-, was not paid to the petitioner.

8. Petitioner made a representation to Respondent No.3 on 02.01.2025, but there is no response from such respondents (Copy of Application is enclosed as Annexure: A 3).

9. The prayer of Ld. Counsel for the petitioner is that a direction may kindly be given to the concerned respondent to decide the representation of the petitioner, by a reasoned and speaking order, at an earliest possible, in accordance with law. Sri Vaibhav Jain, Ld. Counsel for Respondents No. 2 & 3 as well as Ld. A.P.O., representing Respondent No.1, 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.

10. The claim petition is disposed of, 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.

11. Rival contentions are left open.

**(RAJENDRA SINGH)**  
ACTING CHAIRMAN

**(ARUN SINGH RAWAT)**  
VICE CHAIRMAN (A)

*DATE: MARCH 25, 2026.*  
*DEHRADUN*

*VM*