

**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. 50/DB/2026

Sri Surendra Singh Chauhan, aged about 59 years, s/o Late Sri Dhoom Singh Chauhan, r/o Vyas Nahri Kalsi Gate, Kalsi, District-Dehradun.

.....**Petitioner**

vs.

1. State of Uttarakhand through Secretary, Food and Civil Supplies and Consumer, Government of Uttarakhand, Dehradun.
2. Commissioner, Food and Civil Supplies and Consumer, Government of Uttarakhand, Dehradun.
3. Sri Manoj Kumar Verman, presently posted as District Supply Officer, Nainital.
4. Sri Kushal Singh Kohli, aged about 54 years, s/o Sri Ghanshyam Singh Kohli, presently posted as district Supply Officer Rudraprayag, District- Rudraprayag.

.....**Respondents**

Present: Sri Hem Chandra Joshi, Advocate, for the petitioner.(online)
Sri V.P.Devrani, A.P.O., for the Respondents.

JUDGMENT

DATED: APRIL 17, 2026

Sri Rajendra Singh, Acting Chairman

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

“(i) To direct the respondents to grant notional promotion to the petitioner on the post of District Supply Officer w.e.f. 08.06.2020 i.e. the date on which his juniors were promoted in accordance with law.

(ii) To direct the respondent to grant all consequential service benefits to the petitioner including seniority, pay fixation along with arrears of salary and other benefits in accordance with law as well as the government orders.

(iii) Issue any other order, rule or direction which this Hon'ble tribunal may deem fit and proper in the circumstances of the case.

(iv) Award cost of petition.”

2. Ld. Counsel for the petitioner submitted that petitioner has moved a representation to the respondent on 06.01.2026 (Annexure: 18) seeking the benefit of promotion.

3. At the outset, Ld. A.P.O. objected to the maintainability of the claim petition, *inter alia*, on the ground that the claim petition is premature. He submitted that petitioner moved the representation on 06.01.2026 and the competent authority has a period of six months to decide such representation in view of *proviso* to Section 4 (6) of the Uttar Pradesh Public Services (Tribunal) Act, 1976 (as applicable to Uttarakhand, which reads as under:

“4(6).....

Provided that where no final order is made by the State Government, authority, officer or other person competent to pass such order with regard to the appeal preferred or representation made by such public servant within six months from the date on which such appeal was preferred or representation was made, the public servant may, by a written notice by registered post, require such competent authority to pass the order and if the order is not passed within one month of the service of such notice, the public servant shall be deemed to have availed of all the remedies available to him.”

4. It is noteworthy that the petitioner has not sought any specific relief in the prayer clause for a direction to the respondent authority to decide his pending representation. Furthermore, only about four months have elapsed since the petitioner has moved the representation. Therefore, in view of *proviso* to Section 4 (6) of the Uttar Pradesh Public Services (Tribunal) Act, 1976 (as applicable to Uttarakhand, the claim petition is premature.

5. In light of the above, the Tribunal holds that the claim petition is not maintainable at this stage, being premature.

6. Accordingly, the claim petition is dismissed as premature, at the admission stage.

(ARUN SINGH RAWAT)
VICE CHAIRMAN (A)

(RAJENDRA SINGH)
ACTING CHAIRMAN

DATE: APRIL 17, 2026.

DEHRADUN

VM