

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

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

----- Chairman

Hon'ble Mr. A.S. Rawat

----- Vice Chairman (A)

EXECUTION APPLICATION NO. 23/DB/2025

*(Arising out of judgment dated 17.09.2025,
passed in Claim Petition No. 119/SB/2025)*

1. Sri Prashant Dobhal, S/o Sri P.L. Dobhal, R/o H. No. 145, Lane No. 5, Upper Sarthi Vihar, Dehradun, presently posted as Lecturer Electronics, Government Polytechnic, Srinagar, Pauri Garhwal.
2. Sri Ashish Gossain, S/o late Sri B.S. Gossain, R/o 29, Patel Road, Near Nagar Nigam, Dehradun, presently posted as Lecturer Electronics, Government Rural Polytechnic, Thalnadi Village, P.O. Bhigukha, Tehsil Kotdwar.

.....Petitioner-Executioner

versus

1. State of Uttarakhand through the Secretary, Technical Education, Government of Uttarakhand, State Secretariat, Subhash Road, Dehradun.
2. Director, Technical Education, Directorate, Technical Education, Uttarakhand, Srinagar, Pauri Garhwal.

..... Respondents

Present: Sri Abhishek Chamoli, Advocate, for the Petitioner
Sri V.P. Devrani, A.P.O., for the Respondents

JUDGEMENT

Dated: 22nd December, 2025

Justice U.C. Dhyani (Oral)

Present execution application has been filed on behalf of petitioners-applicants for securing compliance of order dated 17.09.2025, passed by the Tribunal in claim petition no. 119/SB/2025, Prashant Dobhal and another vs. State of Uttarakhand and another. Relevant paragraphs of the said judgement read as under:

“4. It is submitted by Sri Abhishek Chamoli, Ld. Counsel for the petitioners, that both the petitioners successfully qualified the departmental examination, conducted on 06.08.2021 by the respondent department for promotion to the next higher post in the departmental hierarchy i.e. Head of Department (Electronics). Petitioner No. 1 was placed at Sl. No. 12 and name of Petitioner No.2 figured at Sl. No. 24. Sri Anil Rautela, who was placed at Sl. No.1 in the final seniority list, and who was also inducted in service on the same date when the petitioners were appointed, i.e. 03.09.2015, was promoted to the post of Head of Department (Electronics) vide order dated 14.10.2021. Ld. Counsel for the petitioner further submitted that after 14.10.2021, no further promotional exercise has been undertaken by the department while large number of posts of Head of Department (Electronics) are lying vacant. Complete facts have been mentioned in the claim petition itself. The Tribunal need not reproduce those facts, as they are already part of record.

5. The contention of Ld. Counsel for the petitioner is that the petitioners have submitted several representations to respondents in respect of their promotion, but no action has been taken on the same. It is the prayer of Ld. Counsel for the petitioners that respondents may kindly be directed to decide the representations of the petitioners by a reasoned and speaking order, as per law. (Copies of representations: Annexure- 8 colly).

6. Ld. A.P.O. has no objection to such innocuous prayer of Ld. Counsel for the petitioners, if a direction is given by the Tribunal to the competent authority to decide pending representations of the petitioners, as per law.

7. The claim petition is disposed of, at the admission stage, with the consent of Ld. Counsel for the parties, by directing the authority concerned, to decide pending representation(s) of the petitioners by

reasoned and speaking order, in accordance with law, as expeditiously as possible, and without unreasonable delay on presentation of certified copy of this order, along copies of representations, enclosing the documents in support thereof. No order as to costs.

8. Rival contentions are left open.”

2. The execution application is supported by the affidavit of Sri Ashish Gossain, petitioner no. 2.

3. It is the submission of Sri Abhishek Chamoli, learned Counsel for the petitioners, that despite service of order dated 17.09.2025, passed by the Tribunal in claim petition no. 119/SB/2025, the pending representations of the petitioners have not been decided, as yet. Three months have elapsed since then.

4. Learned A.P.O., on seeking instructions, submitted that the representations of the petitioners shall be decided by the competent authority, at the earliest possible, as per law.

5. The Tribunal takes note of the above statement of learned A.P.O.

6. It will be of no use keeping the execution application pending.

7. The execution application is disposed of, with the consent of learned Counsel for the parties, by serving a reminder to the authority concerned to decide pending representation(s) of the petitioners within four weeks of service of this order along with copies of the representations upon the authority concerned. The petitioners may file documents in support of their representations.

(A.S. RAWAT)
VICE CHAIRMAN (A)

(JUSTICE U.C. DHYANI)
CHAIRMAN

DATE: 22nd December, 2024
DEHRADUN
RS