

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL
BENCH AT NAINITAL**

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

----- Chairman

Hon'ble Mr. A.S. Rawat

----- Vice Chairman (A)

CLAIM PETITION NO. 97/NB/SB/2025

Sri Madan Singh, aged about 61 years, S/o Sri Bishan Singh, R/o
Devki Vihar, Bithoria No. 1, P.O. Haripur Nayak, Haldwani, Nainital.

.....Petitioner

versus

1. State of Uttarakhand through Secretary, Home, Government of Uttarakhand.
2. Director General of Police, Uttarakhand, Dehradun.
3. Deputy Inspector General of Police, Kumaon Region, Nainital.
4. Superintendent of Police, Champawat, District Champawat.
5. Accountant General, State of Uttarakhand, Dehradun.

..... Respondents

Present: Sri Ghanshyam Joshi, Advocate, for the Petitioner
Sri Kishore Kumar, A.P.O., for the Respondents No. 1 to 4
Sri Rajesh Sharma, Advocate, for Respondent No. 5

JUDGEMENT

Dated: 23rd December, 2025

Justice U.C. Dhyani (Oral)

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

“(i) To quash and set aside the impugned order dated 15-05-2025 passed by the Superintendent of Police Champawat District Champawat by which he has released only 90% pension of the applicant from the date of his superannuation and direct the respondents to pay whole pension of the applicant.

(ii) To direct the respondents to pay gratuity and arrears of salary for the period of suspension i.e. 06-09-2021 to 06-12-2023 of the applicant with 18% interest.

(iii) To direct the respondents give increments after 2021 to till his superannuation and to determine/ re fix the salary, pension, extra salary & Bonus from 2021 and other dues of the applicant accordingly and pay the same with interest of 18%.

(iv) To pass any other suitable order as this Hon'ble Tribunal may deem fit and proper under the facts and circumstance of the case.

(v) To award the cost of the petition in favour of the applicant.”

2. It is the submission of Sri Ghanshyam Joshi, learned Counsel for the petitioner, that petitioner is a retired police official. During service, a case under the Protection of Children from Sexual Offences Act, 2012 (POCSO) was filed against him. He was suspended. Suspension order was subsequently revoked. He has retired as Head Constable on 30.11.2024 on attaining the age of superannuation. After trial, he was acquitted of the charges levelled against him.

3. Learned Counsel for the petitioner also submitted that the petitioner was exonerated of the imputations levelled against him in the departmental proceedings.

4. Sri Kishore Kumar, learned A.P.O., apprised the Bench that state appeal is pending against the decision dated 09.11.2023 of POCSO judge, Haldwani, Nainital.

5. In reply, learned Counsel for the petitioner submitted that merely because state appeal is pending against the judgement of acquittal of POCSO Court, this is not the ground for withholding retiral benefits of the petitioner. He further submitted that petitioner has to construct his house and to get his son married, for which he requires funds. His retiral benefits are the only source of his livelihood. Respondent authority should be directed to release all his retiral dues.

6. The petitioner has not only challenged the order dated 15.05.2025 (copy Annexure: A1), passed by Superintendent of Police, Champawat, but has also prayed for release of whole

pension along with arrears of salary for the period of suspension along with interest and gratuity. He has also prayed for increment after 2021 till his superannuation and re-fix his salary, among other reliefs.

7. Learned Counsel for the petitioner submitted that the petitioner will make representation to Director General of Police, respondent no. 2, who should be directed to decide the representation of the petitioner, in a time bound manner as per law.

8. Innocuous prayer of the petitioner is worth accepting.

9. Without prejudice to the rival contentions, the Claim Petition is disposed of, at the admission stage, with the consent of learned Counsel for the parties, by directing respondent no. 2 to decide the representation of the petitioner, by a reasoned and speaking order, in accordance with law, without unreasonable delay, preferably within 08 weeks of presentation of certified copy of this order along with representation enclosing the documents in support thereof.

No order as to costs.

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

(JUSTICE U.C. DHYANI)
CHAIRMAN

DATE: 23rd December, 2025
DEHRADUN
RS