

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

CLAIM PETITION NO. 109/SB/2023

Arun Chandra Kotnala, S/o Sri Sadanand Kotnala, R/o Shanti Vihar,
Phase-II, Lane 16, Haridwar Bypass, Dehradun, Uttarakhand.

.....Petitioner

versus

1. State of Uttarakhand through its Secretary, Ayush, Government of Uttarakhand, Dehradun.
2. Director, Directorate of Ayurvedic and Unani Services, Dehradun, Uttarakhand.
3. Director, Treasury, Pension and Entitlement, Uttarakhand, 23, Laxmi Road, Dalanwala, Dehradun.

..... Respondents

Present: Dr. N.K. Pant, Advocate, for the Petitioner
Sri V.P. Devrani, A.P.O. for the Respondents

Judgement

Dated: 24th October, 2025

Justice U.C. Dhyani (Oral)

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

“(i) Issue an order or direction calling for the record and to direct the respondent for payment of Rs. 283917/-with interest.

(ii) Issue an order or direction calling for the record and to direct the respondent for interest on the one year late payment of pension and other retiral dues and to amend the GRD letter no. 4012 dated 19.09.2022 as per direction of GO dated 28.07.1989 read with the Punjab State and another vs Rafiq Masih (the matter disposed of by the Hon'ble Apex Court).

(iii) Issue any suitable claim, order of direction which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

(iv) Award the cost of claim petition to the Petitioner.”

2. Petitioner was initially appointed as Typist-cum-Accounts Clerk in Board of Revenue, Lucknow, U.P. Thereafter, he was promoted as Assistant Accountant. The post of Accountant and Assistant Accountant was restructured, whereby 80% posts of Accountant were upgraded. Petitioner was given the pay scale of Accountant. After 14 years of service, he was given first promotional pay scale and on completion of 16 years of service, he was given benefit of 2nd ACP.

2.1 In the year 2013, the petitioner was promoted as Assistant Account Officer and was given posting in the office of Chief Engineer, Level-1, Public Works Department, Dehradun.

2.2 *Vide* office memorandum dated 31.01.2018, issued by Board of Revenue, Uttarakhand, the date of appointment of petitioner on the post of Assistant Accountant was determined as on 30.05.1991 pursuant to regularization order dated 02.03.2002. Petitioner retired on 31.10.2021.

2.3 Objections were raised by the Director, Treasury, Pension and Entitlement regarding benefit of 3rd ACP *w.e.f.* 30.05.2018. Correspondence took place between the P.W.D. and Directorate, Treasury, Pension and Entitlement. The retiral dues of the petitioner have yet not been settled. A sum of Rs. 2,83,917/- was recovered from the gratuity of the petitioner. Petitioner moved representations, but the same have not been decided so far.

3. Petitioner has filed affidavit in support of the claim petition along with relevant documents.

4. The claim petition has been contested on behalf of the respondents. Respondents No. 1 to 3 has filed counter affidavits denying the material averments contained in the claim petition. Relevant documents have been filed by the respondents.

5. Petitioner has filed rejoinder affidavits against the counter affidavits filed on behalf of respondents.

6. Today, Dr. N.K. Pant, learned Counsel for the petitioner submitted that the petitioner has moved representation to respondent no. 2, which has not been decided so far. His innocuous prayer is that the respondent no. 2 may be directed to decide pending representation of the petitioner, as expeditiously as possible, as per law.

7. Learned A.P.O. has no objection to such innocuous prayer of learned Counsel for the petitioner.

8. The Claim Petition is disposed of, 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, as expeditiously as possible, in accordance with law, without unreasonable delay, on presentation of certified copy of this order along with fresh representation enclosing the documents in support thereof.

No order as to costs.

9. Rival contentions are left open.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: 24th October, 2025
DEHRADUN
RS