

Present : Hon'ble Mr. Rajendra Singh
Acting Chairman
 &
 Hon'ble Capt. Alok Shekhar Tiwari
 Member (A)

WRIT PETITION NO. 502 (S/S) OF 2012
[RECLASSIFIED AND RENUMBERED AS CLAIM PETITION NO.
135/NB/DB/2022]

Kanchan Singh, S/o Sri Gurumukh Singh Nayak, Ro Village Elae, Post Tundla, District Agra.
Presently working as Vipran Adhikari, Regional Office, Varanasi, Uttar Pradesh.

..... Petitioner

Versus

1. State of Uttarakhand through Director, Uttarakhand Region, Seeds Evam Tarai Development Corporation Limited, Government of Uttarakhand, Dehradun.
2. Chairman, Uttarakhand Seeds Evam Tarai Development Corporation Limited, Pant Nagar, Post Haldi, District Udham Singh Nagar.
3. Managing Director, Uttarakhand Seeds Evam Tarai Development Corporation Limited, Pant Nagar, Post Haldi, District Udham Singh Nagar.
4. Joint Chief Marketing Officer (Quality & Control), Incharge Establishment, Pant Nagar, Post Haldi, District Udham Singh Nagar.
5. Bholu Prasad Mishra, Store Incharge in the office of Regional Office, Varanasi, U.P.

6. R. K. Nigam, Enquiry Officer, working as Company Secretary, Tarai Seeds Corporation, Udham Singh Nagar.
7. M/s Ma Vaishno Seeds Distributor, Jaunpur, through its Proprietor Ashutosh Kumar Verma, S/o Panna Lal Verma, A-2/298, E-6, Pandeypur, Thana Cant, Zila Varanasi.

..... Respondents

Present : Sri S. S. Yadav, Advocate, for the petitioner
 Sri Kishore Kumar, A.P.O., for the respondent No. 1
 Sri Aditya Pratap Singh, Advocate for the respondents No. 2 to 4

JUDGMENT

DATED : APRIL 10, 2026

Per: Capt. Alok Shekhar Tiwari, Member (A)

1. This instant Writ Petition had originally been filed before the Hon'ble High Court of Uttarakhand at Nainital and was numbered as Writ Petition No. 502 (S/S) of 2012. This matter was relegated to the Tribunal by Hon'ble High Court's order dated 10.10.2022, which reads as under:

“10TH OCTOBER, 2022

Hon'ble Alok Kumar Verma, J.

The present Writ Petition has been filed with the following reliefs:-

- (i) Issue a writ, order or direction in the nature of **Certiorari** quashing the order dated 06.07.2010 passed by respondent no.2 (**Annexure No.7** to this writ petition) & order dated 04.12.2010 passed by the

respondent no.3 (**Annexure No. 11** to this writ petition).

- (ii) Issue a writ, order or direction in the nature of **Mandamus** to direct the respondent no. 2 to reinstate the petitioner as the minor punishment given by the respondent no. 2 to respondent no.5.
- (iii) Issue a writ, order or direction in the nature of **Mandamus** to direct the respondent no. 2 to release the salary of the petitioner occurred since 25.02.2008.
- (iv) Issue a writ, order or direction in the nature of **Mandamus** directing the respondent nos. 2 & 3 to hold a meeting calling respondent no. 6 to resolve the controversy out of the Court as respondent no.6 is inclined so that the petitioner can be reinstated in service.

2. Heard Mr. S.S. Yadav, the learned counsel for the petitioner, Mr. I.P. Kohli, the learned Standing Counsel for the State/respondent no.1 and Mr. Rajendra Dobhal, the learned Senior Advocate assisted by Mr. Shubhang Dobhal, the learned counsel holding brief of Mr. Lokendra Dobhal, the learned counsel for the respondent nos. 2 to 4.

3. As per report of the Registry, service of notice on the respondent nos. 5, 6 & 7 are sufficient.

4. During the arguments, Mr. I.P. Kohli, the learned Standing Counsel for the State and Mr. Rajendra Dobhal, the learned Senior Advocate submitted that the present matter relates to the conditions of service of a public servant, therefore, the petitioner has an alternate efficacious remedy to raise his grievances before the Uttarakhand Public Services Tribunal.

5. Mr. S.S. Yadav, the learned counsel for the petitioner, agrees to transfer the present matter to the Uttarakhand Public Services Tribunal.

6. As the disputes raised in the present writ petition can be effectively adjudicated by the Uttarakhand

Public Services Tribunal, with the consent of the parties, the complete record along with the writ petition, after retaining the copies thereof, is being transmitted to the Uttarakhand Public Services Tribunal for hearing the writ petition as a claim petition in accordance with law.

7. The Uttarakhand Public Services Tribunal is also requested to consider entertaining the present matter as a claim petition taking into consideration this fact that the present matter has been pending for past ten years.

8. The present Writ Petition (S/S No. 502 of 2012) stands disposed of accordingly.

Sd/-

AOK KUMAR VERMA, J.

Dated : 10TH October. 2022
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2. This is noteworthy that this writ petition has been transferred to the Uttarakhand Public Services Tribunal with explicit consent of all the counsels for the parties.

3. The Tribunal took cognizance of the matter on 09.11.2022 and registered the same as Claim Petition No. 135/NB/DB/2022

4. By means of this petition, the petitioner seeks the following relief:

“(i). Issue a writ, order or direction in the nature of **Certiorari** quashing the order dated 06.07.2010 passed by respondent no. 2 (**Annexure No. 7** to this writ petition) & order dated 04.12.2010 passed by the respondent no. 3 (**Annexure No. 11** to this writ petition).

- (ii). Issue a writ, order or direction in the nature of **Mandamus** to direct the respondent no. 2 to reinstate the petitioner as the minor punishment given by the respondent no. 2 to respondent no. 5.
- (iii). Issue a writ, order or direction in the nature of **Mandamus** to direct the respondent no. 2 to release the salary of the petitioner occurred since 25.02.2008.
- (iv). Issue a writ, order or direction in the nature of **Mandamus** directing the respondent nos. 2 & 3 to held a meeting calling respondent no. 6 to resolve the controversy out of the Court as respondent no. 6 is inclined so that the petitioner can be reinstated in service.
- (v). Issue any other order or direction, which this Hon'ble court may deem fit and proper under the facts and circumstances of the case.
- (vi). Award cost of the writ petition in favour of the petitioner."

5. During the pendency of the petition, on 09.04.2026 learned Counsel for the petitioner has filed a miscellaneous application alongwith affidavit (bearing No. 18/135/NB/DB/2022/dated 09.04.2026) annexing the representation dated 07.04.2026 (Annexure No. S.A.-1) to the Chairman, Uttarakhand Seeds Evam Tarai Development Corporation Limited, Pant Nagar, Post Haldi, District Udham Singh Nagar (Respondent No. 2) and Managing

Director, Uttarakhand Seeds Evam Tarai Development Corporation Limited, Pant Nagar, Post Haldi, District Udham Singh Nagar (Respondent No. 3), which is still pending with them and which is to be decided by them.

6. Learned A.P.O. apprised the Tribunal that the Respondent No. 1 is only a formal party and does not have stakes in this instant matter.

7. Learned Counsel for the respondents No. 2 to 4 has no objections on the representation dated 07.04.2026 given by the petitioner before the respondents No. 2 & 3.

8. The Tribunal deems fit and proper to direct the Respondents No. 2 & 3 to decide the representation of the petitioner by a well reasoned and speaking order within a period of three months from the date of presentation of certified copy of this order. The petitioner, if aggrieved by the decision of the concerned respondent, will be at liberty to approach the Tribunal again as per the stipulated procedure.

9. Accordingly, the claim petition is disposed of. No orders as to costs.

(CAPT. ALOK SHEKHAR TIWARI)
MEMBER (A)

(RAJENDRA SINGH)
ACTING CHAIRMAN

DATED: APRIL 10, 2026
NAINITAL

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