

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

CLAIM PETITION NO. 41/SB/2024

1. Bikram Singh Rana (Male), aged about 48 years, S/o Late R.S. Rana, R/o B Block- Dobra Displace Colony, Shyampur, Post Office Satya Narayan, District Dehradun.
2. Tajber Singh Negi (Male), aged about 51 years, S/o Shri Dhanpal Singh Negi, R/o Gali No. 3, Rameshwarpuram, Shyampur, Post Office Satya Narayan, District Dehradun.
3. Sheesh Pal Singh (Male), aged about 52 years, S/o Late G.S. Rana, R/o Village Onal Gaon, Post Office Mukhem, District Tehri Garhwal.

.....Petitioners

versus

1. State of Uttarakhand, through Secretary, Energy, Government of Uttarakhand, Secretariat Complex, Subhash Road, Dehradun.
2. Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun, through its Managing Director.
3. Avneesh Kumar, S/o Subhash Kumar Sharma, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
4. Gautam Kumar Sanyal, S/o Ajeet Kumar Sanyal, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
5. Gunjan Kumar Pundir, S/o Late Jaipal Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
6. Ashish Kala, S/o Roshan Lal Kala, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.

7. Atol Singh Rawat, S/o Agam Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
8. Biram Pal Singh, S/o Shambhu Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
9. Radheshyam, S/o Late Kaliram, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
10. Vimal Kuliya, S/o Surendra Datt Kuliya, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
11. Sachin Mewadguru, S/o Madhav Mewadguru, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
12. Subodh Kumar Negi, S/o Jaipal Singh Negi, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
13. Mohd. Shakib, S/o Mahboob Ali, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
14. Vinod Kumar, S/o Sureshanand, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
15. Surendra Singh, S/o Surai Lal Shah, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
16. Devendra Singh, S/o Rishipal Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
17. Lalit Mohan, S/o Girish Chandra, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
18. Bhuwan Chandra Upreti, S/o C.D. Upreti, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.

19. Dharmendra Kumar, S/o Laxman Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
20. Raman Kumar, S/o Madan Lal, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
21. Deepak Chandra Joshi, S/o Chandra Ballabh Joshi, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
22. Anand Singh, S/o Narendra Singh Rana, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
23. Satish Kumar, S/o Patram, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
24. Ranjan Kumar Rana, S/o Janeshwar Prasad Rana, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
25. Amit Raunchhela, S/o Trilok Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
26. Neeraj Kumar, S/o Vijaypal, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
27. Jagbeer Singh Chauhan, S/o Baldev Singh Chauhan, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
28. Sheetal Saini, S/o Hukum Singh Saini, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
29. Pramod Kumar, S/o Sewaram, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.

30. Satendra Kumar Tappadwal, Dalmeer Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
31. Ashok Singh Kunwar, S/o S/o Late Milap Singh Kunwar, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
32. Ashish Joshi, S/o Late Rewadhar Joshi, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
33. Shyam Sunder, S/o Ram Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
34. Rajendra Kumar, S/o Shyam Lal, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
35. Amit Kumar, S/o Balbeer Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
36. Dinesh Chandra Gururani, S/o Kedar Datt Gururani, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
37. Sandeep Chauhan, S/o Roopchan, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
38. Kanwar Singh, S/o Babu Ram, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
39. Ashish Kumar, S/o Rajendra Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
40. Umesh Singh Rana, S/o Ram Kishore Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.

41. Arvind Kumar, S/o Jyoti Ram, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
42. Mukesh Kumar, S/o Braham Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
43. Mange Ram, S/o Daya Ram, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
44. Sanjeev Kumar, S/o Mahendra Pal Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
45. Chait Ram Purohit, S/o Mahidhar Prasad Purohit, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
46. Bhupendra Kumar, S/o Sadhu Ram, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
47. Satendra Prakash Jogiyal, S/o Murti Ram Jogiyal, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
48. Sudhir Kumar, S/o Late Amar Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
49. Gaurav Nath, S/o Ilam Chand Nath, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
50. Suneel Kumar, S/o Roop Ram, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
51. Ashish Kumar, S/o Rajesh Kumar, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
52. Indra Singh, S/o Lekhu Lal, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.

53. Veer Dayal, S/o Asharam, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
54. Smt. Madhu Paliwal, W/o Sompal, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
55. Smt. Hemlata, W/o Atar Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
56. Smt. Rashmi Lata Arya, W/o Inderjeet Ram, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
57. Kishore Kumar, S/o Late Tika Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
58. Suresh Kumar, S/o Bhagwan Singh, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.
59. Vinod Chandra Pathak, S/o Urba Datt Pathak, service through Managing Director, Uttarakhand Power Corporation Ltd., V.C. Cross, Gabbar Singh, Urja Bhawan, Kanwali Road, Dehradun.

..... Respondents

Present: Sri I.P. Gairola (*online*) and Sri S.K. Jain, Advocates,
for the Petitioners
Sri V.P. Devrani, A.P.O., for the Respondent No. 1
Sri Manish Kumar Singh, Advocate, for Respondent No. 2
Notices have not been issued to the private respondents

JUDGEMENT

Dated: 16th July, 2024

Justice U.C. Dhyani (Oral)

By means of present claim petition, petitioners seek following reliefs:

“(i) direct the respondent nos. 1 & 2 to provide seniority to the petitioners from the initial date of their joining, i.e. 07-11-2008, 15-01-2009 & 07-11-2008; and further, direct the respondent no. 2 to amend the seniority lists dated 27-01-2024 & 16-02-2024 as per the initial date of joining of petitioners in the department.

(ii) issue any other suitable order or direction in favour of petitioners, which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case.

(iii) award cost of claim petition in favour of petitioners."

2. Learned Counsel for the parties submitted that the controversy in hand has been resolved by Hon'ble High Court on 27.06.2024 in WPSB No. 579 of 2017, Uttarakhand Power Corporation Limited vs. B.M. Bhatt and others, with connected writ petitions, therefore, present claim petition may be disposed of in terms of the above-noted writ petitions decided by the Hon'ble High Court.

3. Para 22 of the aforesaid decision reads as under:

"22. In view of the above discussion, the present Writ Petitions are being allowed. The order of the Tribunal is being set-aside. A direction is being given to Uttarakhand Power Corporation Ltd. to fix the seniority after giving the benefit of seniority to all the Assistant Engineers, who joined in the year 2006-07, 2007-08 & 2008-09 from the date of their joining the department, and keeping in view the rota quota between the direct recruits and the promotes. The entire exercise shall be completed with a period of eight weeks from the date of production of a certified copy of this judgement."

4. Since the controversy involved in present claim petition has been decided by the Hon'ble High Court, as above, therefore, present claim petition is being disposed of in terms of the aforesaid judgement/ order of the Hon'ble Court, at the admission stage, with the consent of learned Counsel for the petitioners and respondents no. 1 and 2.

5. Learned Counsel for the parties submitted that such an order may be passed by Single Bench of the Tribunal.

6. No useful purpose would be served by issuing notices to the private respondents, hence, the same is not being done. They may represent their case before the respondent-Corporation, if they feel, they have something to gain out of the above-noted decision of the Hon'ble High Court.

7. The claim petition is thus disposed of, in terms of the aforesaid decision of the Hon'ble High Court, at the admission stage, with the consent of learned Counsel for the parties. No order as to costs.

(JUSTICE U.C. DHYANI)
CHAIRMAN

DATE: 16th July, 2024
DEHRADUN
RS