

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

Present: Hon'ble Mr. Rajendra Singh

-----Acting Chairman

Hon'ble Mr. A.S.Rawat

-----Vice Chairman (A)

CLAIM PETITION NO. 59/NB/DB/2025

Ganesh Singh Khetwal (Male), aged about 41 years, S/o Shri Bhawan Singh, Presently posted as Assistant Development Officer, Horticulture, High Court of Uttarakhand at Nainital and **26 others**.

.....**Petitioners**

Vs.

1. State of Uttarakhand through Secretary, Horticulture and Food Processing, Civil Secretariat, Dehradun.
2. Director, Horticulture and Food Processing, Directorate, Dehradun.
3. Joint Director, Horticulture and Food Processing, Udhyan Bhawan, Chaubatiya, Ranikhet (Almora).
4. Sri Prashant Rathore, Assistant Development Officer, presently posted in the office of the Garden Specialist, Kotdwar and **59 others (private respondents)**.

.....**respondents**

Present: Sri S.K.Mandal, Advocate for the petitioners

Sri Kishore Kumar, A.P.O., for the respondents no. 1, 2 & 3

Sri Bhagwat Mehra, Advocate for respondents no. 8 to 11, 13 to 19, 21, 23 to 28, 30, 32, 34, 35, 38 to 44, 47, 50, 52 to 54, 56 to 58, 61 and 62.

JUDGMENT

DATED: SEPTEMBER 22, 2026

Present claim petition has been filed on behalf of the petitioners for the following reliefs:

i) Issue appropriate order or direction, set aside the seniority list and order dated 16.08.2024 and the promotion order dated 16.09.2025 passed by the respondent no. 2 & 3 (Contained in Annexure No. 5, 6 & 10 to the claim petition).

ii) To command the respondents to produce the record before this Hon'ble Court and further be directed to re-determine the seniority of the petitioners.

iii) To pass an order or direction in the nature, which this Hon'ble Court may deem fit and proper in the circumstances of the case.

iv) Award the cost of the claim petition and may be given to the petitioner.

2. During course of argument, learned Counsel for the petitioners submitted that the petitioners have moved a representation dated 03.08.2025 (Annexure No. 9 to the Claim Petition) to the respondent no. 2 stating therein that those persons who have directly appointed on the post of Assistant Development Officer they are going to promote on the Group-I, and since the petitioners have been appointed in the year 2015 in the feeding cadre they are depriving for promotion in Group-I as well as their chance of future promotion also closed, therefore, the rotation of quota/relaxation and the notional promotion may be given to the petitioners and their name may be considered as a Group -I post. The said representation is still pending for consideration.

3. At this stage, learned Counsel for the petitioner did not press other reliefs and confined his prayer only to the extent to decide the pending representation dated 03.08.2025 (Annexure No.9 to this Claim Petition) submitted before the respondent no.2 by the petitioners. Learned Counsel for the respondents have no objection to such innocuous prayer made by learned Counsel for the petitioners.

4. In view of the above, the claim petition is disposed of with a direction to the Respondent no. 2 to consider and decide the pending representation dated 03.08.2025 (Annexure No. 9), filed by the

petitioners, in accordance with law, by passing a reasoned and speaking order, after affording a reasonable opportunity of hearing to the petitioners as well as the private respondents within a period of three months from the date of presentation of certified copy of this order. No order as to costs.

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

(RAJENDRA SINGH)
ACTING CHAIRMAN

DATE: SEPTEMBER 22, 2026
DEHRADUN
KNP