BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL AT DEHRADUN

Present: Hon'ble Mr. Rajendra Singh

------ Acting Chairman

Hon'ble Mr. Arun Singh Rawat

-------Vice Chairman (A)

CLAIM PETITION NO.03/DB/2022

Smt. Kavita Rani, Nursing Officer/ Staff Nurse, District Worman Hospital, Dehradun.

……Petitioner

vs.

1. The Principal Secretary, Medical Health & Family Welfare, Govt. of Uttarakhand, Secretariat, Subhash Road, Dehradun.
2. Director General, Medical Health & Family Welfare, Uttarakhand, Sahastradhara Road, Dehradun..
3. Anuradha D/o Shri Sehdev Singh Nursing Officer.
4. Km Sangita D/o Dr. K.S. Rana Nursing Officer.
5. Smt. Kamla Upadhyay/Joshi D/o Gopal Dutt Nursing Officer.
6. Smt. Meenakshi Shukla D/o Ramesh Chandra Shukla Nursing Officer.
7. Km. Shanti Arya D/o Late Shri Dharam Ram Arya Nursing Officer.
8. Smt. Sarita Devi Rawat W/o Sh. Jitendra Singh Nursing Officer.
9. Km. Kusum Balooni D/o Late Sh. Mohanlal Balooni Nursing Officer.
10. Km Himani Joshi D/o Shri. Anand Joshi Nursing Officer.
11. Km. Sunita Peter D/o Sh. M. Peter Nursing Officer.

…….Respondents

Present: Sri B.B.Naithani, Advocate, for the petitioner.
Sri V.P.Devrani, A.P.O., for State Respondents.

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JUDGMENT

DATED: NOVEMBER 04 , 2026

Sri Arun Singh Rawat, Vice Chairman (A)

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

> " *This Hon'ble Tribunal may be pleased to quash the impugned seniority list dated 28.10.2021 (Annexure No. A-1) and to make it's operation and effect ineffective since the date 28.10.2021.*
>
> *2. This Hon'ble Tribunal may further be pleased to Direct the respondent No. 2 to reconstitute the seniority position of the selectees of year 2005 on the basis of combined Merit list of selectees as prepared by the selection committee and approved by appointing authority.*
>
> *3. This Hon'ble Tribunal may further be pleased to issue an order or direction which this Hon'ble Tribunal may deem fit and proper under circumstances of the case under consideration.*
>
> *4. This Hon'ble Tribunal may kindly be further pleased to award cost to the petitioners."*

2. During the course of arguments, learned counsel for the petitioner submitted that the covering letter dated 28.10.2021, enclosing the final seniority list dated 17.07.2021 in respect of the selection process of the year 2005, was contrary to the Uttaranchal Subordinate Nursing Non-Gazetted Service Rules, 2003. It was contended that the seniority of the selected Nursing Officers was required to be determined on the basis of the combined merit list prepared by the Selection Committee and approved by the appointing authority. According to learned counsel, the merit list was required to be prepared by the Selection Committee constituted at the level of Directorate of Medical Health and Family Welfare.

3. Learned counsel for the petitioner further submitted that the respondents should be directed to recast the seniority list on the basis of the combined merit list.

4. It has been submitted by Ld. A.P.O. that, at the time of filing the claim petition, the merit list was misplaced. It was further submitted

that, the impugned seniority list had, therefore, not been prepared on the basis of the merit list.

5. Subsequently, the departmental authorities constituted a Committee under the chairmanship of the Senior Administrative Officer for weeding out/condemnation of obsolete store items and records. During that process, the Committee found the merit lists/lists of marks obtained dated 26.07.2005, 27.07.2005, 28.07.2005, 29.07.2005 and 30.07.2005.

6. In response, learned counsel for the petitioner submitted that no file had been lost and that only the merit list was stated to be missing, as conveyed by the Director General, Medical Health, Respondent No. 2.

7. In view of the foregoing, the respondents are directed to prepare the seniority list in accordance with the Uttaranchal Subordinate Nursing Non-Gazetted Service Rules, 2003, read with the Uttaranchal Government Servants Seniority Rules, 2002.

8. The claim petition accordingly stands disposed of.

The interim stay order dated 12.01.2026 stands vacated.

(RAJENDRA SINGH)
ACTING CHAIRMAN

(ARUN SINGH RAWAT)
VICE CHAIRMAN (A)

DATE: NOVEMBER 04, 2026.
DEHRADUN

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