HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 1868 of 2024 (S/S)

Suresh Kumar ....Petitioner

Vs.

Uttarakhand Transport Corporation

and Others ..... Respondents

Present :   Mr. Sachin Kumar Sharma, Advocate, for the petitioner, through video conferencing.
Mr. N.S. Pundir, Advocate for the respondents.

JUDGMENT
Hon'ble Ravindra Maithani, J. (Oral)

By means of the instant petition, the petitioner seeks the following reliefs:-

(i)   Issue a writ, order in the nature of Certiorari for quashing the impugned order dated 07.09.2024 passed by the respondent no.3 to that extent the recovery has directed (contained as Annexure No.1 to this writ petition).

(ii)   Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to pay the arrear of amount i.e. Rs. 1,67,198/- along with interest @ 18 % per annum from the date of retirement till date of actual payment.

(iii)   Issue a writ order or direction in the nature of mandamus commanding and directing the respondents to re-fix the pay scale of the petitioner as per 2nd and 3rd ACP and to pay the difference of the

payment towards the arrear of payment of petitioner.

(iv)   To award the cost of the petition in favour of the petitioner.

2.   Heard learned counsel for the parties and perused the record.

3.   At the very outset, learned counsel for the petitioner would submit that the matter is squarely covered by the judgment dated 04.04.2024, passed by the Division Bench of this Court in Special Appeal No.245 of 2022, Managing Director, Uttarakhand Transport Corporation, Dehradun and others vs. Ashok Kumar Saxena; and connected cases.

4.   Learned counsel for the respondents admits this fact.

5.   The matter is covered, therefore, instant petition is decided in terms of the judgment dated 04.04.2024, passed by the Division Bench of this Court in Special Appeal No.245 of 2022, Managing Director, Uttarakhand Transport Corporation, Dehradun and others vs. Ashok Kumar Saxena; and connected cases.

(Ravindra Maithani, J.)
27.09.2024

Ravi Bisht