

HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition no.477 (S/S) 2005

Jai Prakash S/o Sri Maha Sukh
R/o Village Braham Nagar, P.O.
Dhakia No.1, Tehsil and P.S.
Kashipur, District U.S. Nagar.

.....Petitioner.

Vs.

1. State of Uttaranchal through the Chief Secretary
Government of Uttaranchal, Dehradun
 2. Additional Secretary, Yuva Kiyan, Government
of Uttaranchal, Dehradun
 3. Nideshak, Yuva Kalyan Evam Prantriya Rakshak
Dal, Dehradun.
 4. Executive Engineer, Power Transmission
Corporation of Uttaranchal Limited, Electricity
Transmission Division 400 K.V. Kashipur, U.S. Nagar
 5. Kshetriya Yuva Kalyan Adhikari, Kashipur,
Udham Singh Nagar.
-Respondents.

Sri K.S. Bhashkar, learned counsel for the petitioner,
Learned Standing Counsel for the State/respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri K.S. Bhaskar Learned counsel for the petitioner,
learned Standing Counsel for the State and Sri B.D. Upadhyay
learned Counsel for Respondent No.4.

As per averments made in the writ petition, the petitioner
was appointed on 20.08.2003 with the respondents as
Watchman at 132K.V., Kashipur on a consolidated wage of
Rs.65/- per day, which was increased lateron at Rs.85/- per day.
Again the said wage was increased from Rs.85/- per day to Rs.
100/- per day, thus he was being paid @ Rs.3000/- per month.
According to the petitioner he was working as a watchman
under the control of the respondent No.4. It is alleged that the
respondent no.5 namely "Kshetriya Yuva Kalayan Adhikari,
Kashipur has threatened the petitioner that he will be removed

from services very soon and on this apprehension, he has moved this writ petition with a prayer to issue a writ, order or direction in the nature mandamus commanding the respondents to decide the representation dated 20.01.2005, annexed as annexure no.9 to the writ petition. This representation was moved by the petitioner before the Executive Engineer, Power Transmission Corporation/ respondent No.4.

This Court on 28.04.2005 passed an order that if the petitioner is still working, he shall continue to work on the same terms and condition on which he was earlier engaged.

Submission of the petitioner that by an oral order dated 22.11.2005 the respondent has refused the petitioner to work as Watchman. It is submitted that he has not received any order from respondent but he has been orally asked not to do work further as Watchman w.e.f. 23.11.2005.

As the petitioner has already moved a representation on 20.02.2005 the petitioner is directed to raise all his grievances by making afresh representation before respondent No.4 i.e. Executive Engineer alongwith the writ petition within two weeks from today. The Executive Engineer shall disposed of the representation moved by petitioner by a speaking order within three weeks from the date of production of a certified copy of this order.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

November 30, 2005:
NCM: