

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI VIPIN SANGHI
AND
HON'BLE SRI JUSTICE R.C. KHULBE

31ST AUGUST, 2022

WRIT PETITION (S/ B) No. 04 OF 2016

Between:

Anil Kumar Pandey.

..Petitioner

and

State of Uttarakhand and others.

..Respondents

Counsel for the petitioner. : Mr. Vinay Kumar, the learned counsel.

Counsel for the respondent nos. 1 to 4. : Mr. Vikas Pande, the learned Standing Counsel for the State of Uttarakhand.

JUDGMENT : (per Sri Vipin Sanghi, C.J.)

The reliefs sought in the present Writ Petition
are the following :-

- (i) *Issue a writ, order or direction in the nature of certiorari quashing the communication dated 31st October 2015 of Principal Chief Conservator of Forest, Uttarakhand, Dehradun, whereby the petitioner has been informed that the petitioner could not be promoted on the post of Chief Administrative Officer as the petitioner has secured less than 08 marks on the basis of his service record.*
- (ii) *Issue a writ, order or direction in the nature of certiorari quashing the communication dated 26th November 2015, whereby the representation of the petitioner against non-promotion on the post of Chief Administrative Officer has been rejected.*
- (iii) *Issue a writ, order or direction in the nature of mandamus directing the respondents to upgrade the downgraded ACR entries 'Good' awarded in the Recruitment Year 2010-11 and 2011-12 to the petitioner, which were never communicated*

to the petitioner, as the same is adversely affecting the chance of promotion of the petitioner.

(iv) Issue a writ, order or direction in the nature of mandamus directing the respondents to hold the review of the Departmental Promotion Committee held on 30th October 2015 for making promotion on the post of Chief Administrative Officer in the Forest Department."

2. The petitioner is a government servant. The subject matter of the Writ Petition squarely falls within the jurisdiction of the Uttarakhand Public Services Tribunal.

3. Accordingly, we transfer the records of this Writ Petition to the Uttarakhand Public Services Tribunal for registration and consideration of the same as a Claim Petition.

4. The Tribunal is requested to expedite the hearing of the case, considering the fact that the petition has been pending since the year 2016.

5. In sequel thereto, all pending applications stand disposed of.

VIPIN SANGHI, C.J.

R.C. KHULBE, J.

Dt: 31st August, 2022
Rahul