

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPSS No.2206 of 2023</p> <p><u>Hon'ble Pankaj Purohit, J.</u></p> <p>Mr. Naman Kamboj, learned counsel for the petitioner.</p> <p>2. Mr. Narayan Dutt, learned Standing Counsel for the State.</p> <p>3. Heard learned counsel for the parties.</p> <p>4. Petitioner has sought the indulgence of this Court for a direction to the respondent to take into account the services rendered by him in the Armed Forces, for the purposes of the re-fixation of his pay scale and service benefits including seniority, after being re-engaged in the Police Department, to be determined after inclusion of the period of services rendered with the Indian Army.</p> <p>5. It is the case of the petitioner that petitioner was earlier served with Indian Army as a Havaldar and he was discharged from his service on 31.01.2011 after rendering his service of 17 years w.e.f. 24.04.1993 to 31.01.2011. After discharging from the Indian Army, petitioner was appointed with the respondent-Police Department as a Constable of Civil Police on 01.03.2012 and is presently posted in District Dehradun with respondent no.3.</p> <p>6. Learned counsel for the petitioner submits that despite representation, the service rendered by the petitioner in Indian Army is not being given due credit for the purpose of seniority and other service benefits. He further submits that the similarly situated person has approached this Court by filing a writ petition being Writ Petition (S/S) No.1966 of 2018, Sanjay Singh vs. State of Uttarakhand & others and the respondent-department was directed to re-fix the pay scale of</p>

			<p>the petitioner of that writ petition and other consequential benefits of the service after including the period of service, which was rendered by the petitioner in that writ petition in Indian Armed Forces. He also submits that Sanjay Singh (supra) has been granted such benefit after the order passed by this Court, but the same benefit is not being extended despite pendency of his representation dated 22.06.2023.</p> <p>7. The innocuous prayer has been made by learned counsel for the petitioner to direct respondent no.3 to decide the representation of the petitioner dated 22.06.2023 within a stipulated time.</p> <p>8. Per contra, learned State Counsel opposed the innocuous prayer made by learned counsel for the petitioner for deciding his representation on the ground that petitioner has approached this Court by filing the present writ petition after a period of 11 years after joining his service in the Police Department and further in the case of Sanjay Singh (supra), which is being relied upon by the learned counsel for the petitioner, at the level of Hon'ble Apex Court, the question was left open while dismissing the S.L.P.</p> <p>9. In this view of the matter, it would not be in the benefit of the petitioner, if he is relegated to the same authority to decide his representation.</p> <p>10. Respondent(s) are directed to file counter affidavit(s) within a period of six weeks.</p> <p>11. Thereafter, two weeks' time is granted to the petitioner to file rejoinder affidavit.</p> <p>12. List this matter along with WPSS No.1433 of 2023.</p> <p style="text-align: right;">(Pankaj Purohit, J.) 08.12.2023</p> <p>AK</p>
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