



2024:UHC:9715

HIGH COURT OF UTTARAKHAND AT
NAINITAL

HON'BLE SRI JUSTICE RAKESH THAPLIYAL

WRIT PETITION (S/ S) NO. 2390 OF 2024
19TH DECEMBER, 2024

Harjindar Singh Petitioner.

Versus

Uttarakhand Transport Corporation & another
...Respondents.

Counsel for the Petitioner : Mr. Kishore Kumar,
learned counsel.

Counsel for the Respondents : Mr. Lalit Samant, learned
counsel.

The Court made the following:

JUDGMENT:(per Hon'ble Justice Sri Rakesh Thapliyal)

By the instant writ petition, the petitioner is
praying for the following reliefs:-

“(i) Issue a writ order or direction in the nature of mandamus by calling the records and declared the impugned order 23-08-2024 (Annexure No.1) as arbitrary, illegal and against the provision of law and quash the same and further direct the respondents to forthwith release the recovered amount of Rs.1,42,586.00 (Rupees One Lakh Forty-Two Thousand Five Hundred Eighty Six Only) along with 18% interest after calling the entire records from the respondents in view of the judgment of Hon'ble Apex Court in the case of State of Punjab vs. Rafiq Masih & others (2015) 4 SCC 334, and Judgment dated 14-06-2022 of this Hon'ble Court in the case of “Balam Singh Aswal vs. Managing Director and others” in Writ Petition No.1593 of 2021 (S/S) and judgment and order dated 04-04-2024 passed in Special Appeal No.245 of 2022 “Managing Director, Uttarakhand Transport Corporation vs. Ashok Kumar Saxena” and judgment dated 21-10-2024 in writ petition no.1988 of 2024 “Jeewan Chandra vs. Managing Director Uttarakhand Transport Corporation & others”, or in alternate pass any appropriate orders keeping in view of the facts highlighted in the body of the petition or mould the relief appropriately.”

2. Heard learned counsel for the parties and



perused the record.

3. At the very outset, learned counsel for the petitioner would submit that 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, vs. Ashok Kumar Saxena & connected cases”*.

4. Learned counsel for the respondent- Corporation has not disputed this fact.

5. Since, the matter is covered, therefore, the instant writ petition is also 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, vs. Ashok Kumar Saxena & connected cases”*.

6. Pending application, if any, also stands disposed of.

(RAKESH THAPLIYAL, J.)

Dated: 19th December, 2024
NISHANT

NISHANT
KUMAR