



2025:UHC:11534

SL. No.	Date	Office Notes, reports, orders or proceedings or directions or Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPSS/ 2256/ 2025</u> <u>Hon'ble Manoj Kumar Tiwari, J.</u> Ms. Reema Rana, Advocate for the petitioner. 2. Mr. N.K. Papnoi, Standing Counsel for the State of Uttarakhand / respondent no. 1. 3. Mr. Sandeep Kothari, Advocate for respondent nos. 2 to 4. 4. Petitioner retired from Garhwal Mandal Vikas Nigam (GMVN) on 31.12.2010. According to him, benefit of pay revision in terms of 6th Pay Commission was given to GMVN employees only from 1.8.2009; while, State employees and employees of other Statutory Corporation/ Government Companies were given such benefits w.e.f. 1.1.2006. 5. Petitioner has sought a direction to the authorities to grant arrears of 6th Pay Commission, amounting to ₹2,86,152/- for period between 1.1.2006 to 31.7.2009. 6. Perusal of the record, however, reveals that the Board of Directors, GMVN passed a resolution on 23.1.2023 that having regard to the precarious financial condition of the Corporation, arrears of pay revision would not be payable to the employees. Perusal of the record further reveals that petitioner had approached Uttarakhand Public Services Tribunal by filing Claim Petition No. 145/DB/2024, which was disposed of by a Division Bench of learned Tribunal, vide judgment dated



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			30.7.2025. Paragraph nos. 19, 20 & 21 of the said judgment is reproduced below: - <i>“19. A direction is, therefore, given to the BoD of GMVN to revisit its decision to see whether the time is ripe for releasing the arrears of the Pay Commission or not and if it is possible for the Respondent Corporation to pay the arrears of 6th Pay Commission to the petitioner, the same may be released, as early as possible, looking to the age of petitioner, who is 75 years old.</i> <i>20. An employer is always in a dominating position to regulate the service conditions of its employees. Profit-and- loss statement is prepared by its Finance Officers. The Tribunal is not, and cannot be, in a position to comment upon the financial condition of any organization. But, one thing is certain, India is a social welfare State. No one can deny that the employer should look after the welfare of its employees, in all sincerity. The employees should also be loyal to the organization. GMVN should, therefore, come out with a scheme to wipe out tears from the eyes of people and sufferings calling on justice.</i> <i>21. The claim petition stands disposed of with the aforesaid direction. A decision qua petitioner may be taken by the Respondent Corporation to mitigate his hardship..”</i> 7. Learned counsel for the petitioner submits that learned Tribunal has not indicated any timeline for the Corporation to take decision in the matter. She submits that some deadline be fixed so that the competent authority may take a decision in the matter within some stipulated time. 8. Having regard to the facts of the case, it is provided that the competent authority in the Corporation shall take decision in terms of the direction issued by Tribunal, within four months from the date of presentation of certified copy of this order. 9. With the aforesaid observation, writ petition stands disposed of accordingly. (Manoj Kumar Tiwari, J.) 23.12.2025 Navin
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DN: cn=NAVEEN CHANDRA, o=UTTARAKHAND,
ou=HIGH COURT OF UTTARAKHAND,
c=IN, email=naaveen@judges.org, serial=203001, version=3,
uniqueIdentifier=75454AF3A2B653D995C6ED9AB0A821CE5,
cn=NAVEEN CHANDRA
Date: 2025.12.23 19:07:00 +05'30'