IN THE HIGH COURT OF UTTARAKHAND

AT NAINITAL

Special Appeal No.963 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Raspal Singh and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.617 of 2015

State of Uttarakhand and others .....Appellants

Vs.

Smt. Jyoti .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Ganesh Kandpal, learned counsel for the respondent.

with

Special Appeal No.623 of 2015

State of Uttarakhand and others .....Appellants

Vs.

Km. Pooja .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Ganesh Kandpal, learned counsel for the respondent.

With

Special Appeal No.121 of 2016

State of Uttarakhand and others .....Appellants

Vs.

Mohan Dass and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.128 of 2016

State of Uttarakhand and others .....Appellants

Vs.

Daulat Singh alias Dinesh and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.525 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Ranjeet Kumar .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.526 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Basant Lal .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.527 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Chand Ram and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.551 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Surendra Datt Nautiyal and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.552 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Matwar Singh and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.554 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Salim and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.557 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Ratan Singh and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Pankaj Miglani, learned counsel for the respondents.

With

Special Appeal No.558 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Somendra Pal and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.559 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Jeet Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.560 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Gambhir Dass and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.562 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Raju alias Rajendra Thapa .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.571 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Pramod Singh Rana .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.573 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Bharat Singh and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.574 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Utam Lal and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.583 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Sompal .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.584 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Chet Ram .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.585 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Jasvir Singh Chauhan .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.597 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Kamal Singh Rawat and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.598 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Umesh Tewari .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.599 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Smt. Tulsi Bisht .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.601 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Dhan Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Shivanand Bhatt, learned counsel for the respondent.

With

Special Appeal No.611 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Bhuban Singh and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.651 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Ranbir Singh Rawat .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.

Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.657 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Anuj Singh Rawat .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Niranjan Bhatt, learned counsel for the respondent.

With

Special Appeal No.660 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Sunder Singh and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Niranjan Bhatt, learned counsel for the respondents.

With

Special Appeal No.689 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Jaibir Singh and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.690 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Prem Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.692 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Shaktidhar Prasad and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.694 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Smt. Randei .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.695 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Radheshyam .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.703 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Smt. Sulochana Joshi .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.705 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Sant Ram .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.706 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Prem Dass and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.707 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Smt. Tasmati and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.709 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Ranbir Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.710 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Mahendra Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.712 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Sambhu Singh and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Niranjan Bhatt, learned counsel for the respondents.

With

Special Appeal No.714 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Sukh Das and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.715 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Veer Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.716 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Raju and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.717 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Babu Ram .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.718 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Vatan Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.719 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Man Dass .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.720 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Ghema and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.721 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Smt. Sumitra Devi and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.722 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Anil .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.729 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Balam Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Harendra Belwal, learned counsel for the respondent.

With

Special Appeal No.730 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Pan Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Harendra Belwal, learned counsel for the respondent.

With

Special Appeal No.731 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Tarsem Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.747 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Bhuma Devi and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Rahul Consul, learned counsel for the respondents.

With

Special Appeal No.749 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Smt. Sulochana .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.750 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Kallu Lal .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.751 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Kamal Singh and another .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.757 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Vajeer Ahmad and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.758 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Ram Kishan and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Harendra Belwal, learned counsel for the respondents.

With

Special Appeal No.759 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Kripal Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.771 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Prakash Chandra and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.773 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Manoj Sharma .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.775 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Gabbar Singh and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.777 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Pramod Kumar .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.778 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Arjun Singh Negi .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.779 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Mani Ram and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.780 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Bishan Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.785 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Dev Raj .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.796 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Jai Prakash Dobhal .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.797 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Sukhdev and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.799 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Pratap Singh and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.820 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Ganesh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.822 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Trilok Rawat .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.823 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Smt. Basanti Devi .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.824 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Hukam Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.825 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Smt. Asha Devi and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.828 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Rajendra Singh Rawat .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.832 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Baldev Singh Chauhan and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.834 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Smt. Biru Devi .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.841 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Balbir Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.843 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Vijay Singh Negi and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.844 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Yashpal Tomar .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.845 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Smt. Vimla Devi and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.846 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Raghuveer Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.848 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Smt. Vimla Devi .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.853 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Kamla Devi and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Niranjan Bhatt, learned counsel for the respondents.

With

Special Appeal No.854 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Vijay Pal Singh Kaintura and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Niranjan Bhatt, learned counsel for the respondents.

With

Special Appeal No.859 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Mohan .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Niranjan Bhatt, learned counsel for the respondent.

With

Special Appeal No.797 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Sukhdev and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.866 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Dayal Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Niranjan Bhatt, learned counsel for the respondent.

With

Special Appeal No.869 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Ajay Pal Singh and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Niranjan Bhatt, learned counsel for the respondents.

With

Special Appeal No.880 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Daleep Singh Rawat .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Mahendra Singh Rawat, learned counsel for the respondent.

With

Special Appeal No.882 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Dinesh Rawat .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.885 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Rajendra Singh and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.888 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Daya Kishan .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.906 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Katku and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.907 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Ilam Kumar .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Niranjan Bhatt, learned counsel for the respondent.

With

Special Appeal No.909 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Balveer .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Niranjan Bhatt, learned counsel for the respondent.

With

Special Appeal No.964 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Raj Bahadur .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Khalil Ahmad, learned counsel for the respondent.

With

Special Appeal No.965 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Liyakat Ali ……Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.966 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Dhan Singh and others ……Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Ganesh Kandpal, learned counsel for the respondents.

With

Special Appeal No.993 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Smt. Guddi Devi ……Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri H.C. Joshi.

With

Special Appeal No.1010 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Suraj Lal and others ……Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Ganesh Kandpal, learned counsel for the respondents.

With

Special Appeal No.1028 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Munna Khan and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Vinay Kumar, learned counsel for the respondents.

With

Special Appeal No.1029 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Narendra Singh and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Vinay Kumar, learned counsel for the respondents.

With

Special Appeal No.1030 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Mahendra Singh and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.

Shri Vinay Kumar, learned counsel for the respondents.

With

Special Appeal No.1031 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Anand Singh and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Vinay Kumar, learned counsel for the respondents.

With

Special Appeal No.1032 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Kuber Singh and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Vinay Kumar, learned counsel for the respondents.

With

Special Appeal No.1033 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Trilok Ram and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Vinay Kumar, learned counsel for the respondents.

With

Special Appeal No.1039 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Bhaguli Devi .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Vinay Kumar, learned counsel for the respondent.

With

Special Appeal No.1040 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Gopal Ram .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri G.D. Joshi, learned counsel for the respondent.

With

Special Appeal No.1072 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Bablu and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.1075 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Maideen .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.1077 of 2017

State of Uttarakhand and others .....Appellants

Vs.

Mohan Dass and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.43 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Deepak Kumar .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri H.C. Joshi.

With

Special Appeal No.56 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Govind Singh Tomar and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.58 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Gajendra Singh Chauhan and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.60 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Puran .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.61 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Kalyan Singh and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.

Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.67 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Deepak Kumar and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.69 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Vinod Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.71 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Ajab Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.73 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Virendra Chand .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.74 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Pradeep Nautiyal and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.76 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Dhirpal Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.77 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Sarjeet Singh and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Ganesh Kandpal, learned counsel for the respondents.

With

Special Appeal No.78 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Chandra Pal Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No. 84 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Prakash Singh Khanayat and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Ganesh Kandpal, learned counsel for the respondents.

With

Special Appeal No.85 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Khyali Ram .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Manoj Mohan, learned counsel for the respondent.

With

Special Appeal No.86 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Pyar Singh and another .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondents' counsel Shri Hem Chandra Joshi.

With

Special Appeal No.88 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Suresh alias Santosh and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Ganesh Kandpal, learned counsel for the respondents.

With

Special Appeal No.96 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Dharmanand .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.120 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Jagdish Fulara and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Vinay Kumar, learned counsel for the respondents.

With

Special Appeal No.122 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Shri Ramesh Chandra Singh and others .....Respondents

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri M.C. Pant, learned counsel for the respondents.

With

Special Appeal No.124 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Sobat Ram .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.127 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Mohan Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri Hem Chandra Joshi.

With

Special Appeal No.218 of 2018

State of Uttarakhand and others .....Appellants

Vs.

Ranveer Singh .....Respondent

Shri Pradeep Joshi, learned standing counsel for the appellants.
Shri Bhupesh Kandpal, learned counsel appearing for the respondent's counsel Shri H.C. Joshi.

18th December, 2020

Coram : Hon'ble Ravi Malimath, A.C.J.
Hon'ble Alok Kumar Verma, J.

Ravi Malimath, A.C.J. (Oral)

A batch of writ petitions were disposed off by a common order dated 23.03.2017 passed by the learned Single Judge in WPSS No.1585 of 2015 and other connected matters. The question raised therein was with regard to payment of the minimum of the pay-scale as is available to the counterparts in the government until and unless their services are regularized and are given regular scale of pay as well as the matter pertaining to dearness allowance. The writ petitions were held in favour of the writ petitioners. The same was challenged in a series of

special appeals before the Division Bench of the Hon'ble High Court of Uttarakhand. The Division Bench vide its order dated 20.05.2019 modified the order passed by the learned Single Judge and directed the appellants therein to consider the claim of the respondents-writ petitioners, in the light of the law declared by the Hon'ble Supreme Court in the cases of *The State of Punjab vs. Joginder Singh* reported in *AIR 1963 SC 913, Zabar Singh and others vs. The State of Haryana and others* reported in (1972)2 SCC 275, *State of Bihar and others vs. The Bihar Secondary Teachers Struggle Committee, Munger* (Order in Civil Appeal No.4862 of 2019 dated 10.05.2019) and *State of Punjab and others vs. Jagjit Singh and others* reported in *(2017)1 SCC 148,* for being extended the minimum of the regular pay scales applicable to persons holding regular posts, bearing in mind the Government Order dated 08.10.2018 referred to hereinabove. The entire exercise, culminating in a decision being taken, and a reasoned order being passed, in that regard was directed to be completed at the earliest and in any event, not later than four months from the date of production of a certified copy of the order. The Division Bench thereafter clarified that such of the respondents-writ petitioners, to whom the minimum of the regular pay scales has already been extended, shall be continued to be extended the said benefit, till the appellant-State undertakes and completes the exercise, as directed hereinabove, of determining whether or not the respondents-writ petitioners are entitled to be extended the benefit of the minimum of the regular scales of pay, and thereafter, disposed off the appeals. Some of the matters were challenged before the

Hon'ble Supreme Court one such case is Civil Appeal Nos.1486-1487 of 2020.

2. In terms of the order passed by the Hon'ble Supreme Court dated 12.02.2020, the civil appeals were disposed off in the following terms:-

> *Leave granted.*
>
> *On hearing learned counsel for the parties and perusing the pleadings and affidavits, learned counsel for the appellant confined the relief to grant of minimum pay scale as is available to their counterparts in Government. He submits that what is being paid is on the basis of 6th Pay Commission while the directions passed in State of U.P. & Ors. v. Putti Lal- (2006) 9 SCC 337 makes it quite clear that what has to be granted is "minimum of the pay scale as is available to his counter part in the Government until his services are regularized and he is given regular scale of pay."*
>
> *Insofar as the aspect of dearness allowance is concerned, learned senior counsel initially sought to rest his case on the judgment pertaining to Uttar Pradesh but then stated that even the State of Uttarakhand, the State in question has given dearness allowance in certain cases.*
>
> *Suffice for us to say that if dearness allowance is being given to other daily wagers, naturally the State will not discriminate the daily wagers on this aspect.*
>
> *We are in agreement with the claim of learned counsel that in view of the judgment referred to aforesaid the minimum of the pay-scale as is defined is with reference to the counter parts in the Government holding the Government posts. Thus, if the 7th Pay Commission is implemented (as is conceded) qua the regular employees, the workers like the appellants would be entitled to the minimum of the pay-scale of those regular Government employees of the Group D posts.*
>
> *The Appeals are accordingly disposed of in terms thereof.*
>
> *CIVIL APPEAL NOS. 1488-1490/2020*
> *[@ SLP (C) No. 25803-25805/2019]*

None appears for the appellants. The matters were tagged with Civil Appeal Nos. 1486-1487/2020 @ SLP [C] NOS.11651-11652/2019 which have been disposed of today.

Leave granted.

The present appeals also stand disposed of in terms of the order passed in Civil Appeal- Nos. 1486-1487/2020 @ SLP [C] NOS.11651-11652/2019.

3. The learned standing counsel for the State as well as the learned counsel for the respondents submit that the matter can be disposed off in terms of the order dated 12.02.2020 passed by the Hon'ble Supreme Court.

4. In view of the submissions made, by following the order dated 12.02.2020 passed by the Hon'ble Supreme Court of India in Civil Appeal Nos.1486-1487 of 2020, these appeals are disposed off.

(Alok Kumar Verma, J.) **(Ravi Malimath, A.C.J.)**

SK/S.K.