
(2018) 06 UK CK 0048

In the Uttarakhand High Court

Case No : Writ Petition (S/S) No. 1609 of 2018

Kumaun Van Shramik Sangh Centre Ranikhet & Another

APPELLANT

Vs

State of Uttarakhand & Others

RESPONDENT

Date of Decision : 18-06-2018

Acts Referred:

Citation : (2018) 06 UK CK 0048

Hon'ble Judges : SHARAD KUMAR SHARMA, J

Bench : Single Bench

Advocate : A.K. Joshi, N.S. Pundir, M.C. Tiwari

Final Decision : Disposed Off

Judgement

SHARAD KUMAR SHARMA, J. (ORAL)

The contention of the petitioner is that the petitioner is a registered Trade Union who is agitating cause of its members whom the petitioner claims that

are engaged by the respondent as a Daily Wager, Chowkidar, Driver, Gateman and, almost all the members of the petitioner Trade Union have put in

more than 10 years of regular service in the said capacity. To fortify the aforesaid contention in his support, he has placed on record the chart giving

the date of engagement, place of posting and nature of duties discharged by them (although at this stage without there being any contravention with

regards to the contents and statistics provided therein, this Court is not extending any opinion on the same).

2. The contention of the petitioner is that identical issues pertaining to the grant of minimum of pay scale, regularization, benefits of the revision of the

6th Pay Commission has been agitated before the Honâ??ble Allahabad High Court in various Writ Petitions, one of which being Writ Petition No.

15627/1988, which was allowed by the Honâ??ble Allahabad High Court vide its judgment dated 25.02.1993 and ultimately the Special Leave

Petition too stood dismissed by the Honâ??ble Apex Court on 01.12.1994 (Annexure-3 to the Writ Petition).

3. The contention of the petitioner is that in compliance of the judgment rendered by the Honâ??ble Allahabad High Court, the State Government has

already issued a Government Order directing that minimum of pay scale may be granted to Daily Wagers, who has put in sufficient long period with

the respondents. For the purposes of redressing his grievance for fixation of the wages as Rs. 18,000/-, the petitioners contend that they have raised

grievance and have filed a representation on 01.05.2018 before the Divisional Forest Officer, Almora Forest Division, which is pending consideration.

4. During the course of argument, learned counsel for the petitioners has confined his relief to the effect, for seeking a direction to the respondent to

decide petitionersâ?? representation. Prayer is innocuous. Without specifying the Authority who would be competent to decide the representation, as

a matter of fact, looking to the representation itself which has been forwarded to all the authorities who have been arrayed as party to the Writ

Petition also, any Authority who is competent to decide the representation under law is directed to decide the claim of the petitioners submitted by way

of representation and would take a decision on representation dated 01.05.2017, within a period of six weeks from today and if possible and necessity

arises after giving an opportunity to the representatives of the petitioner Trade Union.

5. Subject to the above observation, the Writ Petition would stands disposed of.