

(2013) 07 MP CK 0280

In the Madhya Pradesh High Court

Case No : Writ Petition No. 2968 of 2012 (s)

Mayaram Sagar and Others

APPELLANT

Vs

State of M.P. and Others

RESPONDENT

Date of Decision : 05-07-2013

Acts Referred:

Citation : (2013) 07 MP CK 0280

Hon'ble Judges : Sujoy Paul, J

Bench : Single Bench

Advocate : Arun Dudawat, for the Appellant; Nidhi Patankar, Govt. Advocate by Respondents No. 1, 2 and 3, Shri D.S. Raghuvanshi, Advocate by Respondent No. 4 and Shri Ranjeet Khanvilkar, Advocate Respondents No. 5 and 6, for the Respondent

Final Decision : Allowed

Judgement

Sujoy Paul, J.—The petitioners/employees working under Janpad Panchayat Badarwas, District Shivpuri have filed this petition praying for grant of 6th Pay Commission to them. Shri Arun Dudawat, learned counsel for the petitioners submits that WP No. 1699/2001 (Prakash Verma and others Vs. Union of India and others) was filed by the employees of Janpad Panchayat claiming benefits of 5th Pay Commission. This Court on 19.01.2006 allowed the said WP. Shri Dudawat submits that writ appeal against Prakash Verma (Supra) was dismissed by the Division Bench.

2. By relying on the judgment of this Court passed in WP No. 2258/2010 dated 11.02.2011 Annexure P/11, Shri Dudawat submits that on relying the ratio of Prakash Verma (Supra), this Court granted benefit of 6th Pay Commission to the employees of Janpad Panchayat Narwar, District Shivpuri in WP No. 2258/2010 (Sheetal Prasad Jain Vs. State of M.P. & Ors). The petitioners are similarly situated and sailing in the same boat. Lastly, it is submitted that the Division Bench of this Court gave a stamp of approval on the judgment of Sheetal Prasad Jain in WP No. 340/12.

3. Aforesaid legal submissions are not refuted by the other side.

4. Respondents could not demonstrate or establish any fact or material which shows that petitioners are not entitled for the benefit of parity. In the considered opinion of this court, the petitioners are entitled for benefit of parity being similarly situated employees and are accordingly entitled to get benefit of 6th Pay Commission with due date. The petition is allowed in terms of Sheetal Prasad (Supra). No costs.