
(2013) 08 MP CK 0053
In the Madhya Pradesh High Court
Case No : Writ Petition No. 14524 of 2013

Pralhad

APPELLANT

Vs

The State of Madhya Pradesh

RESPONDENT

Date of Decision : 26-08-2013

Acts Referred:

Constitution of India, 1950 — Article 23, 43

Citation : (2013) 08 MP CK 0053

Hon'ble Judges : K.K. Trivedi, J

Bench : Single Bench

Advocate : Sanjay Sarwate, for the Appellant; Lalit Joglekar, Learned Panel Lawyer, on advance copy, for the Respondent

Final Decision : Disposed Off

Judgement

K.K. Trivedi, J.—It is contended by the learned counsel for the petitioners that the controversy involved in the petition is squarely covered by a decision rendered by this Court in the case of Gopal Chawala and others Vs. State of Madhya Pradesh and others, wherein only this much was directed that the respondents are directed to examine the requirement of refixation of honorarium in the present days of price hike. It is contended that a writ petition was earlier filed by the said person which was decided and subsequently the order passed in the said writ petition was affirmed by the Division Bench of this Court at Gwalior. In view of the law laid down by the Apex Court as also in view of the law laid down by the Division Bench of this Court, though the writ petition filed by Gopal Chawla and others (supra) subsequently was decided, but a direction was given in the following manner:-- In totality, I am unable to hold that the petitioners are either entitled for equal pay for equal work or for even minimum of the scale because there is no wholesome parity demonstrated by them. I am also unable to hold that the petitioners are entitled to get minimum wages. However, on the basis of aforesaid analysis, I am inclined to direct the respondents to reconsider the amount of "honorarium" which is being paid to the petitioner in the present

days of price hike. If necessary, the respondents may appoint an expert body for the said purpose. However, the entire exercise should be done keeping in view the principles flowing from Articles 23 and 43 of the Constitution of India.

25. Thus, in the interest of justice, I deem it proper to direct the respondents to reconsider the adequacy of amount of "honorarium" payable to the Gurujis. This exercise be completed within four months and appropriate orders be passed.

26. With the aforesaid, petitions stand disposed of.

It is contended that the petitioners would also be satisfied if such a direction is issued.

2. Considering the aforesaid, this writ petition is disposed of with a direction to the respondents to look into the rate of honorarium payable to the petitioners in terms of the directions issued by this Court in the case of Gopal Chawla (supra) within a period of four months from the date of receipt of certified copy of the order passed today. Certified copy as per rules.