

(2012) 01 AHC CK 0293
In the Allahabad High Court
Case No : Service Single No. 245 of 2012

Putan Singh and Others

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 18-01-2012

Acts Referred:

Citation : (2012) 01 AHC CK 0293

Hon'ble Judges : Devendra Kumar Upadhyaya, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Devendra Kumar Upadhyaya, J.—With the consent of parties" counsel, the writ petition is being disposed of finally.

2. In the instant writ petition, the petitioners have claimed that the opposite parties be commanded to provide them the first promotional pay scale, additional increments and the second promotional pay scale etc., after completion of the requisite period of services rendered by them in the work charge establishment and regular establishment in terms of the judgment of the Apex Court in the case of State of Haryana and others Versus Ravindra Kumar and others and also in view of the judgment rendered by this Court in Writ Petition No. 4489 (S/S) of 2002 Hansa Dutt Bahuguna and others Versus State of U.P. and others.

3. On the other hand learned counsel for the opposite parties submits that the judgment in the case of Hansa Dutt Bahuguna and others Versus State of U.P. and others was passed on the basis of the judgment rendered by the Apex Court in the case of State of Haryana Versus Ravindra Kumar and others, which subsequently stands overruled by the Apex Court in the case of Punjab State Electricity Board and Others Vs. Jagjiwan Ram and Others, Hence, learned counsel for opposite parties submits that relief being sought by the petitioners is now not available. Learned counsel for the opposite parties has also cited the judgment dated 24.11.2010 passed by Division Bench of this Court in Special

Appeal Defective No. 34 of 2010, State of U.P. Versus Ram Pal, wherein relying on Punjab State Electricity Board and others Versus Jagjiwan Ram and others (supra) the Division Bench set aside the order passed by the Hon''ble Single judge, whereby the certain service benefits to the employees working in the work charge establishment were provided to them.

4. Learned counsel for the petitioners could not satisfy as to how the present case is distinguishable either on the facts or law, vis-a-vis the aforesaid cited judgments pronounced in the case of Punjab State Electricity Board and others (supra) and the judgment of the Division Bench of this Court dated 24.11.2010 passed in Special Appeal Defective No. 34 of 2010.

5. In view of the aforesaid discussions, the writ petition has got no force, hence is dismissed. However cost is made easy.