
(2009) 04 AHC CK 0692
In the Allahabad High Court

Radhey Lal and others

APPELLANT

Vs

State of U.P.and others

RESPONDENT

Date of Decision : 07-04-2009

Acts Referred:

Citation : (2009) 04 AHC CK 0692

Hon'ble Judges : Rajiv Sharma, J

Final Decision : Disposed Of

Judgement

Rajiv Sharma, J.

Heard learned counsel for the parties.

It emerges from the arguments of the parties that the petitioners were appointed on the post of Driver in the office of Lok Nirman Vibhag, but the service benefits and additional increments on completion of 8, 14 and 20 years of continuous service have not been provided to the petitioners and as such, the petitioners preferred a representation for providing pecuniary benefits and additional increments but the opposite parties did not pay any heed in the matter and the same is still pending.

Learned counsel for the petitioners submits that similarly placed employees preferred a petition, which was numbered as Writ Petition No. 4489 (SS) of 2002, Hansa Dutt Bahuguna and others Versus State of U.P. and another, before this Court and this court vide order dated 5.7.2006, while quashing the impugned order, allowed the petition and a writ of Mandamus was issued to the opposite parties to provide salary from the current month in the promotional scale, next higher to the scale which they are getting with an additional increment to the petitioners and further, it was provided that the recovery of the amount in question against the opposite party No.4 was stayed. He admits that the case of petitioners is squarely covered by the observation made by the Court in the aforementioned writ petition as well as the Apex Court in the case of State of Haryana and others Versus Ravindra Kumar and others passed in Civil Appeal No.

67406741 of 1997.

Considering the aforesaid facts and circumstances of the case, the writ petition is disposed of finally with a direction to the opposite parties to consider the case of the petitioners, in light of the observations made in Hansa Dutt Bahuguna (supra) and State of Haryana (supra) and pass appropriate speaking reasoned order, expeditiously, say within a period of three months from the date of receipt of a certified copy of this order.