

(2010) 09 AHC CK 0048
In the Allahabad High Court

Rajendra Narain Raj and Others

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 03-09-2010

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2010) 09 AHC CK 0048

Hon'ble Judges : Devendra Kumar Arora, J

Bench : Single Bench

Judgement

Devendra Kumar Arora, J.—Notice on behalf of opposite parties has been accepted by the learned Chief Standing Counsel.

2. The petitioners have approached this Court under Article 226 of the Constitution of India with the grievance that they are entitled for the promotional pay-scale from the date their juniors were given in

3. Subordinate Agriculture Services Group-II.

4. It is not disputed at Bar that identical controversy has been settled at rest vide judgment and order dated 19.05.2006, passed in Writ Petition No. 6368 (S/S) of 1997.

5. The operative portion of the judgment and order dated 19.05.2006 is reproduced as under:

In the result, the writ petition succeeds and is allowed. The order dated 03.03.1998 are hereby quashed and the respondents are directed to consider the claim of the petitioners to the post of S.A.S. Group-II w.e.f. The date the juniors to the petitioners have been promoted. Since the petitioners have retired from service and they are losers of pensionary benefits on account of non-consideration of their promotion, their cases for promotion be considered with all consequential benefits within a period of two months, from the date a certified copy of this order is produced before the authority concerned. No order as to

costs.

6. In view of the above, it is not necessary to deal with the entire controversy at length again.

7. The writ petition is disposed of finally in terms of the judgment and order dated 19.05.2006, passed in Writ Petition No. 6368 (S/S) of 1997. The petitioners shall also be entitled for service benefits provided by this Court while deciding the controversy vide judgment and order dated 19.05.2006(supra).

8. No order as to costs.