

(2020) 02 RAJ CK 0260

In the Rajasthan High Court

Case No : Civil Writ Petition No. 18737 Of 2019

Ram Kumar And Ors

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 13-02-2020

Acts Referred:

Citation : (2020) 02 RAJ CK 0260

Hon'ble Judges : Dinesh Mehta, J

Bench : Single Bench

Advocate : Dalip Singh Rajvi, Kunal Upadhyay, Sunil Beniwal

Judgement

1. Mr. Rajvi, learned counsel for the petitioner submits that the controversy involved in the present case is squarely covered by a judgment dated

13.07.2017 of Coordinate Bench of this Court rendered in the case of Jagdish Singh & Ors. Vs. State of Rajasthan : SB Civil Writ Petition

No.5954/2017.

2. Mr. Upadhyay, learned counsel for the respondents, is not in a position to dispute the aforesaid position of facts and law.

3. Following the judgment in the case of Jagdish Singh (supra), the present writ petition is allowed. The petitioners who are employed under Gramin

Janta Dal Yojana as Pump Driver/Pump Operator shall be entitled for the wages as prescribed for skilled workman by the State of Rajasthan as per

the provisions of Minimum Wages Act, 1948. The amount of 50% of the minimum wages payable to the petitioners withheld by the respondents shall

be released forthwith. It is made clear that these directions would apply only to the cases where the scheme in question has been floated and

implemented and not in any other case. If the scheme Gramin Janta Dal Yojana

is not floated in a particular Gram Panchayat, the respondents would not be liable for payment at the rate of minimum wages rather, in that case, if any of the petitioner has been employed in other scheme or otherwise, he would be at liberty to approach the authority under the Minimum Wages Act for adjudication of the dispute. No order as to costs.

4. Needful be done within a period of three months from the date of placing of certified copy of the order instant.

5. The stay application is also disposed of.