

(2019) 09 J&K CK 0019

In the Jammu And Kashmir High Court

Case No : Writ Petition (C) No. 3445 Of 2019, CM No. 7201 Of 2019

Shokit Ali And Others

APPELLANT

Vs

State Of Jammu & Kashmir And Others

RESPONDENT

Date of Decision : 24-09-2019

Acts Referred:

Citation : (2019) 09 J&K CK 0019

Hon'ble Judges : Tashi Rabstan, J

Bench : Single Bench

Advocate : Mohsin Bhatt

Final Decision : Disposed Of

Judgement

Tashi Rabstan, J

1. Petitioners have approached this Court with the following relief:-

(a) Mandamus, commanding the respondents to elevate the pay scale of the petitioners in tune with Chief Engineer's Order No.CEJ/Estab/22389-22404 dated 20.03.2010 w.e.f. the date of their appointment and similar to the pay grade being given to Work Supervisors in the Estates department in terms of SRO 149 of 1973, and to eradicate the pay disparity; and

(b) Mandamus, commanding the respondents to decide the representation of the petitioners dated 29.08.2018, seeking elevation of their pay scale of Rs.4440-7440+GP of Rs.1400/- to 5200-20200+GP 2400 as per they having the similar eligibility and parity to the other candidates who have been appointed vide Order dated 23.03.2017 in Estates Department from the date of their actual appointment of the petitioners i.e. 24.05.2017;

2. Petitioners state that they were appointed vide Order No.CEJ/ADM/12 of 2017 dated 24.05.2017 (Annexure-I) and are working as Worker Supervisors in the Public Works (R&B)

3. The short grievance of the petitioners is that the candidates, who were selected with Supervisors along with them for the same posts in the Estates Department, appointed in the pay grade of Rs. 5200-20200 plus GP 2400 in tune of SRO 149 of 1973 and the petitioners despite having similar technical qualification (ITI in building Construction Trade) were given lower pay scale of Rs.4440-7440 plus GP 1400, the petitioners submit that they are similarly situated, therefore, are entitled to the same benefit as has been given to them. Thus, they have moved a representation before the respondents for granting them parity as has been granted to those, who are similarly situated as the petitioners herein.

4. Learned counsel for the petitioners submits that since the only relief sought to decide the representation of the petitioners, the petitioners would be satisfied if the writ petition is disposed of by directing respondent No.1 to accord consideration to the representation of the petitioners dated 29.08.2018 (Annexure-IV) and decide the same within some timeframe.

5. In this view of the matter, the writ petition is disposed of by directing the respondent No.1 to accord consideration to the representation of the petitioners dated 29.08.2018 strictly in accordance with the rules governing the field within a period of six weeks from the date, copy of this order is made available to the respondent concerned.

6. Writ petition is disposed of along with connected CM(s).