

(2007) 07 RAJ CK 0117
In the Rajasthan High Court
Case No : Civil Writ Petition No. 16 of 1994

Surendra Kumar Sharma and Others

APPELLANT

Vs

State of Rajasthan and Another

RESPONDENT

Date of Decision : 04-07-2007

Acts Referred:

Citation : (2007) 3 WLN 417

Hon'ble Judges : Govind Mathur, J

Bench : Single Bench

Judgement

Govind Mathur, J.—The Government of Rajasthan by Notification No. F17(3) FDGr-2/82 dt. 23.01.1985 revised the pay scale No. 10 under the Rajasthan Civil Services (Revised Pay Scales) Rules, 1983 w.e.f. 01.02.1985. A challenge is given to the notification referred above by the petitioners alleging that to be discriminatory for the reason that for other similarly situated persons such amendment was introduced w.e.f. 01.09.1981. The same notification was subject matter of D.B. Civil Writ Petition No. 3116/1987, Gopal Dass v. State of Rajasthan and Anr. that came to be accepted by Division Bench of this Court by judgment dt. 21.12.1988. Hon'ble Division Bench while accepting the writ petition ordered as follows:--

The writ petition is allowed. The respondents are directed to fix the pay of the petitioner in the further revised pay-scale of Rs. 610-1090 (Scale No. 10) w.e.f. 01.09.1981 and to pay the amount of difference. The petitioner is also entitled to his pensionary benefits accordingly.

2. The fact about acceptance of similar petition for writ by Division Bench of this Court has not been disputed by counsel for the respondents.

3. Accordingly, this petition for writ is also allowed. The respondents are directed to fix the pay of the petitioner in the further revised pay-scale of Rs. 610-1090 (Scale No. 10) w.e.f. 01.09.1981 and to pay the amount of difference. The petitioner is also entitled to his pensionary benefits accordingly.

No order to costs.