
(2011) 04 AHC CK 0429
In the Allahabad High Court
Case No : Writ A. No. 22404 of 2011

Surendra Yadav and Others

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 20-04-2011

Acts Referred:

Citation : (2011) 04 AHC CK 0429

Hon'ble Judges : Krishna Murari, J

Bench : Single Bench

Final Decision : Disposed Of

Judgement

Krishna Murari, J.—Heard learned Counsel for the Petitioners and learned Standing Counsel for Respondent Nos. 1 to 3.

2. Petitioners claim that they were appointed as Pump Operator/Pump Observer and Clerk on different dates in Nagar Panchayat, Kushi Nagar on daily wages during the period 1994 and 1998 and since then they are regularly working.

3. The grievance of the Petitioners is that they are performing the same duty as regular employees of the Nagar Panchayat, but are not being paid minimum pay scale. The claim of the Petitioners for payment of regular pay scale, as is being paid to the regular employees, is based on the principles of equal pay for equal work.

4. Reliance in support of the contention that even daily wagers are entitled for payment of the minimum pay scale, has been placed on a Division Bench judgment of this Court in the case of Chanchal Kumar Tiwari and Ors. v. Shri Hari Shankar 2010 (7) ADJ 6 (DB), which in turn, placing reliance upon various pronouncement of the Hon'ble Apex Court, has held that all the daily wage employees are entitled for payment of minimum of pay scale if they are doing similar work.

5. From a perusal of pleadings, it appears that Petitioners have already made a

representation with respect to their grievances before Respondent No. 4.

6. Considering the facts and circumstances, writ petition stands disposed of with the liberty to the Petitioners to make a fresh representation with respect to their grievances before Respondent No. 4 along with a certified copy of this order within a period of four weeks from today and in case any such representation is made, the same shall be decided by the concerned authority in accordance with law by means of a reasoned and speaking order within a further period of six weeks from the date of making of the representation.