

(2014) 05 MP CK 0147
In the Madhya Pradesh High Court
Case No : W.P. No. 2050/2014

Uttam Prasad Tripathi and Others

APPELLANT

Vs

State of M.P. and Others

RESPONDENT

Date of Decision : 13-05-2014

Acts Referred:

Citation : (2014) 05 MP CK 0147

Hon'ble Judges : R.S. Jha, J

Bench : Single Bench

Advocate : Pushpendra Yadav, Learned Counsel, Advocate for the Appellant;
S.S. Bisen, Govt. Advocate for State, Advocate for the Respondent

Final Decision : Disposed Off

Judgement

R.S. Jha, J.—Heard on the question of admission.

2. Petitioners were employees in the establishment of M.P. State Cooperative Oil Seed Growers Federation. Due to financial crisis in the Corporation, services of the petitioners were sent on deputation to the M.P. State Co-operative Tribunal and since then they are working there.

3. Claiming revision of pay and benefit of the recommendations made by the 5th and 6th Pay Commission, petitioners have filed this writ petition and record indicate that similar employees like the petitioners who are not granted the benefit of 5th Pay Commission recommendation approached this Court by filing W.P. No. 5680/2009(s)-Dinkar Pratap Singh Chouhan & Others Vs. State of M.P. & Others and a learned Single Bench of this Court vide order dated 23.3.2011 allowed the petition and directed the respondents to grant necessary benefits to the petitioners in the matter of making payment under the 5th Pay and 6th Pay Commission Recommendation. The order passed by the learned Single Bench has been upheld by the Division Bench also and W.A. No. 361/2011 has been dismissed by the Division Bench. Thereafter, the SLP filed has also been dismissed.

4. In view of the above, respondents are now required to consider the case of the petitioners, examine it in the light of the law laid down in the case of Dinkar Pratap Singh Chouhan (Supra) and grant to the petitioners similar benefits as has been granted to other similarly situated employees. The aforesaid exercise be undertaken and completed by the respondents as far as possible within three months from the date the petitioners" furnishes a copy of the order passed today and a copy of the petition on the authorities.

5. It is made clear that this Court has not expressed any opinion on the merits of the case and, therefore, the authorities would be at liberty to examine the matter taking all facts and facets into consideration.

6. With the aforesaid direction the petition, filed by the petitioners stands disposed of.

7. C.C. as per rules.