

Court No. - 20

Case :- WRIT - A No. - 1395 of 2023

Petitioner :- Vijay Kumar And 2 Others

Respondent :- The State Of U.P. Thru. Prin. Secy. Forest Deptt. Govt. Of U.P. Civil Sectt. Lko. And Another

Counsel for Petitioner :- Shivam Sharma

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

Heard learned counsel for petitioners and learned State Counsel appearing on behalf of opposite parties.

Petition has been filed seeking a direction to the opposite parties to consider case of petitioners for regularization on group D post in terms of the extant rules as well as for grant of minimum of the pay scale in terms of judgment rendered by this Court in the case of **Rakesh Shukla versus State of U.P.**, Writ A No. 33864 of 20023 following the law laid down by Hon'ble Supreme Court in the case of **Sabha Shankar Dube versus Divisional Forest Officer and others**, Civil Appeal No. 10956 of 2018. It has been submitted that petitioners have been engaged as a daily wager on Class IV post of Sweeper and is covered by relevant regularization Rules of 2016 but their case for regularization is not being considered.

For the aforesaid grievance, the petitioners have already submitted representations but seeks liberty to file separate representations regarding regularization and grant of minimum of the pay scale.

Considering innocuous prayer being made by learned counsel for the petitioners and without entering into the merits of the case petitioners are granted liberty to file a fresh individual representation before opposite party No. 2 i.e. Divisional Forest Officer, North Kheri Division, Lakhimpur Kheri. In case such a representation is filed, the same shall be decided in the light of judgments rendered in the case of **Rakesh Shukla (supra)** and **Sabha Shankar Dube (supra)** in case the same are applicable within a period of eight weeks from the date a copy of this order is produced before the said authority.

With the aforesaid observations, the writ petition stands **disposed of**.

Order Date :- 19.10.2023

prabhat