Court No. - 20
Case :- WRIT - A No. - 8133 of 2023
Petitioner :- Sandeep Kumar And 15 Others
Respondent :- State Of U.P. Thru. Addl. Chief Secy. Prin. Secy. Dept. Horticulture And Food Processing And Others
Counsel for Petitioner :- Rakesh Singh,Alok Kumar Pandey,Vinod Kumar Shukla
Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

1. Heard learned counsel for petitioners and learned State Counsel for opposite parties.

2. Petition has been filed seeking a direction to opposite parties for payment of minimum of the pay scale for the post of Gardener (Mali) as is being paid to regular employees on the principles of equal pay for equal work.

3. Learned counsel for petitioner has placed reliance on judgment rendered 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 since petitioners are continuously working on daily wage basis with the department from the years 2002 till 2013, they are entitled for minimum of the pay scale since they are performing the same confluence duties as substantively appointed persons.

4. For the aforesaid grievance, the petitioners have already submitted the representation but seeks liberty to file fresh representation before the authority concerned.

5. Considering innocuous prayer, without entering into merits, liberty is granted to petitioners to file a fresh representation before concerned authority who shall consider and decide the same within a period of eight weeks from the date certified copy of this order is produced before the concerned authority along with fresh representation.

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

Order Date :- 18.10.2023
Satish

Digitally signed by :-
SATISH KUMAR BHARATI
High Court of Judicature at Allahabad,
Lucknow Bench