Court No. - 20

Case :- WRIT - A No. - 8207 of 2023

Petitioner :- Ashok Kumar And 4 Others
Respondent :- State Of U.P. Thru. Prin. Secy. Home Deptt. U.P. Lko. And 5 Others
Counsel for Petitioner :- Vinod Kumar
Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

Heard Mr. Vinod Kumar, learned counsel for the petitioners and the learned Standing Counsel for the State-respondents.

This writ petition has been filed for following relief:

"(i) Issue a writ order or direction in the nature of mandamus commanding the opposite party No. 3 & 4 to carry out the fixation of salary of petitioners in terms of government order dated 26.08.1977 and G. O. dated 18.05.1983 contained as ANNEXURE No.3 & 4 to this writ petition.

(ii) Issue a writ order or direction in the nature of mandamus commanding the opposite parties to pay arrears of difference of salary after fixation along with appropriate interest.

(iii) Issue any other writ, order or direction which this Hon'ble Court may deem just and proper in the circumstances of the case in favour of the petitioners.

(iv) Allow the writ petition with cost."

Learned counsel for the petitioners submits that petitioner was initially working in Indian Army and subsequently, they have been appointed in Police Department of the State of U.P., therefore, in view of the settled legal position, the services rendered by the petitioners in Indian Army is to be counted for the purposes of fixation of their salary and other benefits. For the said grievances, they have made representations before the authority concerned but no decision has been taken thereon till date. Hence the present writ petition.

Considering the facts and circumstances of the case but without expressing any opinion on the merits of the case set up on behalf of the petitioners, the present writ petition is disposed of by providing that petitioners may make a fresh representation individually, ventilating all their grievances, supported by such documents, as they may be advised, before respondent no.4, within two weeks from today, along with a certified copy of this order. On such representation being made, respondent no.4 shall

consider and decide the same, strictly in accordance with law, by means of a reasoned speaking order, preferably within three months thereafter, if there is no legal impediment.

Order Date :- 19.10.2023
kvg/-

Digitally signed by :-
GIREESAN KV
High Court of Judicature at Allahabad,
Lucknow Bench