

Court No. - 20

Case :- WRIT - A No. - 8535 of 2023

Petitioner :- Gopal Das

Respondent :- State Of U.P Thru. Addl. Chief Secy. Horticulture Civil Sectr. Lko. And 3 Others

Counsel for Petitioner :- Mohd. Ateeq Khan

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

1. Learned counsel for petitioner is granted liberty to delete the word vacant from prayer no.2. Consequential amendment shall be incorporated in the prayer of petition during course of day.

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

3. Petition has been filed seeking a direction to opposite parties for making payment of minimum of pay-scale in terms of Office order dated 21.04.2022. Further prayer for grant of arrears of minimum of pay-scale to petitioner against the post of driver has also been made.

4. It has been submitted that since minimum of pay-scale as per recommendation of the 7th Pay Commission have already been granted to petitioner vide order dated 08.02.2018, learned counsel for petitioner upon instruction does not press prayer no.1 and is pressing the prayer no.2 with regard to payment of arrears of minimum of pay scale.

5. For the aforesaid grievance, petitioner has already submitted a representation dated 28.05.2020 but seeks liberty to file fresh representation before the authority concerned which may be directed to be decided.

6. Considering innocuous prayer being made by learned counsel for petitioner and without entering into the merits of the case petitioner is granted liberty to file a fresh representation before opposite party No.3 i.e. Deputy Director Horticulture, Bareilly Mandal, Bareilly or any competent authority. In case such a representation is filed, the same shall be considered and decided by a reasoned and speaking order within a period of six weeks from the date a certified copy of this order is produced before the said authority.

7. With the aforesaid observation, petition stands **disposed of**.

Order Date :- 2.11.2023

Subodh/-