

Court No. - 20

Case :- WRIT - A No. - 9529 of 2023

Petitioner :- Rajendra Singh

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Revenue Lko. And 4 Others

Counsel for Petitioner :- Pramendra Kumar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

1. Heard Pramendra Kumar Singh, learned counsel for the petitioner.
2. Notices on behalf of opposite parties have been accepted by the office of the learned Chief Standing Counsel.
3. By means of this writ petition, the petitioner has prayed that the opposite party No.1 be directed to consider and grant the second promotional pay scale of Rs.8000-13500 to the petitioner with effect from the date when he had completed 24 years services, as per the Government Order dated 24.07.2018, & 17.07.2023 as contained in Annexure Nos.08 & 13 to the writ petition, and also consider to grant 3rd A.C.P. on completion of 26 years service, as per VIth Pay Commission and also revised the pay scale in terms of the aforesaid Government Order, with expedition.
4. Learned counsel for the petitioner has submitted that for redressal of his grievance the petitioner has preferred representation dated 04.12.2019 to the Principal Secretary, Revenue, Government of U.P., Lucknow, which is contained as Annexure No.11 to the writ petition, but as per learned counsel for the petitioner, no decision has been taken by the Principal Secretary, Revenue, Government of U.P., Lucknow on the representation of the petitioner. Therefore, learned counsel for the petitioner has requested that ends of justice would suffice if necessary direction for disposal of the aforesaid representation of the petitioner is issued to the authority concerned within a stipulated time.
5. Learned State counsel appearing on behalf of opposite parties has raised objection that petition has been filed after considerable delay since petitioner superannuated in the year 2014 respectively. As such, it has been submitted that petition is not maintainable after such delay.

6. Learned counsel for petitioner in response has submitted that earlier entitlement of Collection Amin for 2nd Promotional Pay scale and 3rd ACP was disputed and such dispute was resolved only after judgment and order rendered by Hon'ble Supreme Court on 10.04.2015. It has been submitted that even thereafter by means of another Government order, the entire benefits were not granted to Collection Amin leading to another spate of petitions in which indulgence was granted by this Court and thereafter now the matter has been settled by means of Government Order dated 24.7.2018 and 29.10.2018. As such, it has been submitted that there is no delay in filing petition. Even other wise, it has been submitted that discrepancy in pensionary benefits is a recurring cause of action.

7. Therefore considering innocuous prayer of learned counsel for the petitioner, without entering into merits of the issue, the Principal Secretary, Revenue, Government of U.P., Lucknow (opposite party No.1) is hereby directed to consider and decide the representation of the petitioner dated 26.10.2023, which is contained as Annexure No.11 to the writ petition, strictly in accordance with law as well as in the light of the Government Order dated 24.07.2018 & 17.07.2023 contained as Annexure Nos.08 & 13 to the writ petition, by a speaking and reasoned with expedition say within a period of three months from the date of presentation of a certified copy of this order and thereafter the decision thereof be communicated to the petitioner forthwith.

8. In view of the aforesaid terms, the writ petition is ***disposed of*** finally.

Order Date :- 14.12.2023

Satish