

Court No. - 20

Case :- WRIT - A No. - 9527 of 2023

Petitioner :- Vijay Kumar

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Horticulture Lko And 2 Others

Counsel for Petitioner :- Shailendra Kumar Dubey

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

Heard learned counsel for petitioner and learned State Counsel for opposite parties.

Petition has been filed seeking a direction to opposite parties for payment of minimum of the pay scale to petitioner of Class-IV post in view of the fact that petitioner was engaged in the department on daily wage basis on 01.09.2009 and his continuously working as such till date but the aforesaid benefit has not been provided to petitioner despite judgments of Hon'ble Supreme Court to the said effect as indicated in the case of **State of Punjab versus Jagjit Singh (2017) 1 SCC 148** and in the case of **Sabha Shankar Dube versus Divisional Forest Officer and others 2019 (160) FLR 90**.

For the said grievance, petitioner has already submitted a representation but seeks liberty to file a fresh representation before the authority concerned.

Considering the innocuous prayer, without entering into merits, liberty is granted to petitioner to file a fresh representation before opposite party no. 3 i.e. Director Horticulture Officer, District Balrampur who shall consider and decide the same within a period of six weeks from the date a certified copy of this order is produced before the said authority along with fresh representation in the light of judgments indicated hereinabove, copy of which shall be annexed by petitioner along with copy of this order.

With aforesaid observations and directions, the petition is finally **disposed of**.

Order Date :- 14.12.2023

Satish