

Court No. - 20

Case :- WRIT - A No. - 9587 of 2023

Petitioner :- Shyam Babu Yadav And 16 Others

Respondent :- State Of U.P. Thru. Secy. Medical Education U.P. Lko.
And Another

Counsel for Petitioner :- Ram Raj Ojha, Pallavi Vatsala

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

1. Heard Ms. Bulbul Godial, learned Senior counsel assisted by Ms. Pallavi Vatsala, learned counsel for petitioners and learned State Counsel appearing on behalf of opposite parties.

2. Petition has been filed seeking following reliefs:

"(i) Issue a writ, order or direction in the nature of Mandamus commanding/directing the opposite party No.2 to pass appropriate order of confirmation of services of the petitioner on the post of Pharmacist looking into consideration the date of initial appointment.

(ii) Issue a writ, order or direction in the nature of Mandamus commanding/directing the opposite party No.2 to regularize the services of the petitioner from the date of their respective appointment with all consequential service benefits.

(iii) Issue a writ, order or direction in the nature of Mandamus commanding/directing the opposite party No.2 to pay the petitioners the promotional pay scale considering their length of service on the post of Pharmacist.

(iv) Issue a writ, order or direction in the nature of Mandamus commanding/directing the opposite party No.2 to include the name of the petitioners in the seniority list of Pharmacist Cadre at the respective seniority position.

(v) Issue any other appropriate order or direction deemed just and proper in the circumstances of the case.

(vi) Allow the writ petition with costs."

3. It has been submitted that despite the fact that petitioners have been working continuously and satisfactorily for more than 20 years on the post of pharmacist initially on daily wage basis but their services have neither been regularized nor confirmed nor even service benefits pertaining to such long length of services have been granted to them. Learned counsel has also submitted that petitioners have been discriminated against since certain other similarly situated persons have already been accorded to said benefits as indicated in the paragraph 13 of the writ petition.

4. For the raised said grievance, petitioners have already submitted representation but seeks liberty to file fresh individual representation before competent authority. At present learned counsel for petitioners restricts her prayer for a final decision with regard to same.

5. Considering innocuous prayer being made by learned counsel for petitioners and without entering into the merits of the case petitioners are granted liberty to file fresh individual representation before opposite party No.2 i.e. Director, Ayurvedic & Unani Services, Lucknow Uttar Pradesh. In case such a representations are filed, the same shall be considered and decided by a reasoned and speaking order within a period of eight weeks from the date a certified copy of this order is produced before the said authority.

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

Order Date :- 15.12.2023

Subodh/-