Court No. - 20

Case :- WRIT - A No. - 9907 of 2023

Petitioner :- Vinay Kumar
Respondent :- State Of U.P Thru. Addl. Chief Secy. Horticulture Civil Secrt. Lko. And 2 Others
Counsel for Petitioner :- Mohd. Ateeq Khan
Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

1. Heard learned counsel for petitioner and learned Standing Counsel for the State.

2. Present writ petition is filed by the petitioner claiming that he is working as a daily wager on Class-IV post since the year 2010, but he is not being paid minimum of pay scale as is being paid to similarly situated employees and in view of a judgment of the Supreme Court in Sabha Shankar Dube v. Divisional Forest Officer reported in AIR 2019 SC 220, he is entitled for the said benefit.

3. Learned counsel for petitioner submits that grievance of petitioner would be sufficiently met in case representation of petitioner for the said purposes is considered and decided in a time bound manner.

4. Learned Standing Counsel has no objection to the same.

5. In view thereof, petitioner is permitted to make a fresh detailed representation to respondent no.2-Director, Horticulture and Food Processing, U.P., 2, Sapru Marg, Lucknow, raising all his grievance including a copy of the judgment of the Supreme Court in the case of Sabha Shankar Dube (supra) in support of his claim within a period of three weeks from today along with a computer generated/certified copy of this order.

6. In case such a representation is moved by petitioner, respondent no.2 shall consider and decide the same in accordance with law by a reasoned and speaking order within a period of three months from the date a computer generated/certified copy of this order along with representation is placed before him.

7. It is made clear that this court has not applied itself on the merits of the case and all questions are left open to be considered and decided by the competent authority in

accordance with law.

8. With the aforesaid directions, present writ petition is disposed of.

Order Date :- 21.12.2023
kvg/-

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