

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.5746 OF 2002

ORDER:

1. This writ petition is filed seeking to issue a writ of mandamus directing the respondents to regularize the services of the petitioner as full time converted class IV staff as per the existing pattern and pay time scale with attached benefits w.e.f. initial appointment of the petitioner and as per G.O.Ms.No.5, General Administration Department, dated 5.1.2002 keeping in view the petitioner's long tenure of service.

2. It is the grievance of the petitioner that he was appointed as Scavenger in the third respondent-college on consolidated salary in the year 1985 and since then, he has been working as such on par with regular workers. But the respondents are not considering his case for regularization and for payment of time scale.

3. In a case of this nature, the Hon'ble Supreme Court in **State of Punjab and others Vs. Jagjit Singh and others**¹ considered the principle of equal pay for equal work and held that the persons who are discharging their duties on par with regular employees are entitled to the minimum scale of pay under the principle of equal

¹ Civil Appeal No.213 of 2013, dated 26.10.2016

pay for equal work. The issue involved in this writ petition is squarely by the above judgment of the Hon'ble Supreme Court.

4. In the light of the judgment of the Hon'ble Supreme Court (cited supra), the writ petition can be disposed of directing the respondents to extend the minimum time scale of pay attached to the post of the petitioner on par with other regular employees.

5. Accordingly, the Writ Petition is disposed of directing the respondents to extend the minimum time scale of pay attached to the post of the petitioner on par with other regular employees. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.



(ABHINAND KUMAR SHAVILI, J)

Dated: 20th August, 2018

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HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI



WRIT PETITION NO.5746 OF 2002

Dated: 20.8.2018

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