

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.8365 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of both the parties.

This writ petition is filed seeking the following relief :-

“.... to issue a Writ, Order or Direction more particularly one in nature of Writ of Mandamus directing the respondents herein to pay minimum pay scale to the petitioner in view of ratio laid down by the Hon'ble Supreme Court of India in State of Punjab and Others Vs. Jagjit Singh and others in Civil Appeal No.213 of 2013, dated 26.10.2016 and consequently declare the inaction of the respondents herein in paying the minimum pay scale to the Petitioner as violative of ratio laid down by Hon'ble Supreme Court of India in State of Punjab and Others Vs Jagjit Singh and others in Civil Appeal No.213 of 2013, dated 26.10.2016”.

Heard Mr.B.Sudhakar Reddy, learned counsel for petitioner and the learned Government Pleader for Services-I.

It has been contended by the petitioner that he was appointed as lorry cleaner on 04.11.1986 and his case is pending consideration for regularization of services in terms of G.O.Ms.No.212 dated 22.04.1994.

The grievance of the petitioner is that though he is working for more than three decades, the respondents are not extending minimum time scale of pay attached to the post of lorry cleaner.

Learned counsel for petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for grant of minimum time scale of pay attached to the post of lorry cleaner in terms of the law laid down by the Hon'ble Supreme Court in *STATE OF PUNJAB AND*

OTHERS Vs. JAGJIT SINGH AND OTHERS (Civil Appeal No.213 of 2013, dated 26.10.2016).

Learned Government Pleader appearing for respondents has contended that the case of the petitioner will be considered and appropriate orders would be passed, if the petitioner submits representation before the respondents.

This Court, having considered the rival submissions, is of the considered view that this writ petition can be disposed of directing the petitioner to submit representation before the respondents within two weeks from the date of receipt of a copy of this order. Upon such representation being received, the respondents shall consider the case of the petitioner in terms of the law laid down by the Hon'ble Supreme Court in *STATE OF PUNJAB AND OTHERS Vs. JAGJIT SINGH AND OTHERS* (Civil Appeal No.213 of 2013, dated 26.10.2016) and pass appropriate orders within four weeks thereafter.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 22-04-2019
Prv

