

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.3532 of 2012

ORDER

This writ petition is filed seeking the following relief:

“...to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not granting minimum time scale to petitioner attached to her post as the same is illegal and discriminative in nature and consequently direct the respondents to grant minimum time scale to the petitioner w.e.f the date of grant of minimum time scale to her juniors i.e., proceedings dated 8.9.2010 to that of the petitioner and pass such further other order or orders as this Hon'ble Court may deem fit and proper under the circumstances of the case.”

Heard Sri G.Ravi Mohan, learned counsel appearing for the petitioner, learned Government Pleader for Social Welfare appearing for respondent No.1 and Sri A.Madhava Rao, learned Standing Counsel appearing for respondent Nos.2 to 4.

The petitioner is working as Class-IV employee since more than two decades. Her grievance is that the respondents are not paying minimum time scale attached to the post. While her juniors were given the benefit, the same was denied to her.

Learned counsel appearing for the petitioner submits that in view of the law laid down by the Apex Court in *State of Punjab vs. Jagjit Singh*¹, the petitioner is entitled for grant of minimum time scale attached to the post and that appropriate orders be passed directing the respondents to extend the benefit of minimum time scale to the petitioner.

Learned Government Pleader as well as the learned Standing Counsel appearing for the respondents contended that the service particulars of the petitioner were already submitted to the 1st respondent and it is pending consideration and that the 1st respondent would consider and pass appropriate orders in accordance with the Rules.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition can be disposed of directing the 1st respondent to extend the minimum time scale of pay attached to the post of Attender in favour of the petitioner by taking into consideration the judgment of the Apex Court in *State of Punjab vs. Jagjit Singh* (1) supra), in accordance with Rules, within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

¹ 2017(1) SCC 148

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

11th September, 2019
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