

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.Nos.21801, 21599, 26636 & 27267 of 2018

COMMON ORDER

Since the issue involved in all these writ petitions is one and the same, they are being heard together and disposed of by way of this common order.

Heard learned counsel on either side.

In pursuance of the notification issued during 2011, the petitioners were appointed as Multi Purpose Health Assistants during 2012 subject to condition that they would be paid 100% gross salary. Their grievance is that contrary to the clause in their appointment order, the respondents are denying gross salary to the petitioners since March 2015/ August 2016/August 2017.

Learned counsel appearing for the petitioners contended that when once the petitioners were recruited in pursuance of the notification and after undergoing selection process, the respondents cannot treat the petitioners as temporary Multi Purpose Health Assistants. It is further contended that for the present, the issue of paying 100% gross salary shall be decided and the issue of regularizing the services of the petitioners be left open as the petitioners can agitate the same at an appropriate time. It is further contended that similar issue fell for consideration before this Court in W.P.No.17163 of 2019

and this Court allowed the same on 09.12.2019 by directing the respondents to pay 100% gross salary to the petitioners therein. It is prayed that since the petitioners are similarly situated persons to that of petitioners in W.P.No.17163 of 2019, they are also entitled for said benefit and that the respondents be directed to pay 100% gross salary to them.

Learned Government Pleader appearing for the respondent does not dispute the same.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that all the Writ Petitions can be disposed of in terms of the order dated 9.12.2019 passed in W.P.No.17163 of 2019, directing the respondents to pay 100% gross salary to the petitioners with all consequential benefits, as it was specifically set out in their appointment orders. The issue in respect of regularization of the services of the petitioners is left open.

Accordingly, all the Writ Petitions are disposed of. No costs.

Miscellaneous petitions, pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

*Date:06.01.2020
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