IN THE HIGH COURT OF MADHYA PRADESH AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE MILIND RAMESH PHADKE

ON THE 5th OF FEBRUARY, 2024

WRIT PETITION No. 2411 of 2024

BETWEEN:-

1. **RAM SINGH MOGIYA S/O SHRI MOOL CHAND, AGED ABOUT 53 YEARS, OCCUPATION: SERVICE WARD NO 1 RAGHOGARH DISTRICT GUNA (MADHYA PRADESH)**

2. **SUNDAL LAL MOGIYA S/O SHRI RAM LAL, AGED ABOUT 63 YEARS, R/O WARD NO. 1, RAGHOGARH, GUNA (MADHYA PRADESH)**

.....PETITIONER

(BY SHRI B.P. SINGH - ADVOCATE)

AND

1. **THE STATE OF MADHYA PRADESH PRINCIPAL SECRETARY, PUBLIC WORKS DEPARTMENT, MANTRALAYA, VALLABH BHAWAN, BHOPAL (MADHYA PRADESH)**

2. **ENGINEER IN CHIEF, PUBLIC WORKS DEPARTMENT 27-28, FIRST FLOOR, NIRMAN BHAWAN, ARERA HILLS BHOPAL (MADHYA PRADESH)**

3. **CHIEF ENGINEER (NORTH ZONE) PUBLIC WORKS DEPARTMENT THATIPUR, MORAR, GWALIOR (MADHYA PRADESH)**

4. **EXECUTIVE ENGINEER, PUBLIC WORKS DEPARTMENT, DIVISION NO.1, GWALIOR (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI K.S. TOMAR - ADVOCATE)

This petition coming on for admission this day, the court passed the

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following:

ORDER

This petition under Article 226 of the Constitution of India has been filed seeking following reliefs :

> (i) That, respondents may kindly be directed to extend the benefit of revised pay scale under recommendation of 7th Pay Commission w.e.f. 01.01.2016.
>
> (ii) That, the respondents may further be directed to fix the salary of petitioner in respective pay bands with arrears & interest thereof.
>
> (ii) Any other relief, which this Hon'ble Court may deem fit and proper may also be given to the petitioner along with costs.

It is submitted by counsel for petitioner that this petition is duly covered by order dated **19/07/2022** passed in **W.P. No.14143/2022 (Jaswant Singh Vs. State of Madhya Pradesh & Others)**.

The submission made by counsel for petitioner is not controverted by counsel for State.

Heard learned counsel for the parties.

The following order was passed by this Court in case of **Jaswant Singh (Supra)** :-

> It is submitted by the counsel for the petitioner that the controversy involved in the present case is covered by order dated **27.01.2022** passed in **W.P. No.149/2022 (Bal Krishna Batham Vs. The State of Madhya Pradesh and others)**, which reads as under :
>
> > Petitioner, a daily wage employee, is before this Court with a grievance that though he has been entitled for minimum of the revised pay-scale of Class-IV employee, however, corresponding revised pay-scale of the 7th Pay Commission has not been awarded to the petitioner as after 01.01.2016, he is entitled for revision of pay under 7th Pay Commission. He relies upon the order passed by coordinate bench of this Court on 29/08/2019 in WP No.11122/2018 vide Annexure P/3 to bolster his submission.

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In the obtaining facts and circumstances, it is considered apposite to direct the petitioner to file a representation in the aforesaid factual context and seeks redressal of grievance.

If such representation is filed in person within 15 days before the competent authority, the same shall be adverted to by the said authority with promptitude but not later than three months.

With the aforesaid direction, the present petition stands disposed of.

It is made clear that this Court has not expressed any opinion on merits of the case.

Accordingly, this petition is also **disposed of** in the terms and conditions of order dated **27.01.2022** passed in the case of **Bal Krishna Batham (supra)**.

Accordingly, this petition is also **disposed of** in the terms and conditions of order dated **19/07/2022** passed in the case of **Jaswant Singh (Supra).**

(MILIND RAMESH PHADKE)
JUDGE

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