IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PRANAY VERMA

ON THE 2nd OF FEBRUARY, 2024

WRIT PETITION No. 20548 of 2019

BETWEEN:-

1. **JAGDISH S/O SHRI KALU RAM, AGED ABOUT 55 YEARS, OCCUPATION: SERVICE R/O.RAMI NAGAR, UJJAIN (MADHYA PRADESH)**

2. **PAPPU S/O KASAM, AGED ABOUT 50 YEARS, OCCUPATION: SERVICE, R/O. 11, JUNA SAMVARIYA UJJAIN (MADHYA PRADESH)**

3. **DULICHAND S/O SHRI MANGILAL OCCUPATION: SERVICE, R/O. MULLAPURA UJJAIN (MADHYA PRADESH)**

4. **KAILASH S/O DASHRATH OCCUPATION: SERVICE R/O. TILKESHWAR COLONY RINGH ROAD, UJJAIN (MADHYA PRADESH)**

5. **SANJAY SINGH PAWAR S/O SHRI LALLU SINGH, AGED ABOUT 48 YEARS, OCCUPATION: SERVICE, R/O. 628 TIRUPATI DHAM EXT.KANIPURA ROAD, UJJAIN (MADHYA PRADESH)**

6. **BHUPENDRA SHRIVASTAV S/O SHRI RAMAKANT SHRIVASTAV, AGED ABOUT 51 YEARS, OCCUPATION: SERVICE, R/O. 118 DHABA ROAD, MUNSIRAJ KA DHABA UJJAIN (MADHYA PRADESH)**

.....PETITIONERS

(BY SHRI SANJAY JAMINDAR - ADVOCATE)

AND

1. **STATE OF M.P. THROUGH PRINCIPAL SECRETARY URBAN ADMINISTRATION DEVELOPMENT DEPARTMENT, GOVT. OF M.P. VALLABH BHAWAN, BHOPAL (MADHYA PRADESH)**

2. **MUNICIPAL CORPORATION UJJAIN THROUGH**

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COMMISSIONER MUNICIPAL CORPORATION UJJAIN (MADHYA PRADESH)

.....RESPONDENTS

(BY SHRI SHREY RAJ SAXENA - ADDL. ADVOCATE GENERAL FOR STATE)

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

ORDER

1. Heard.

2. The present petition has been filed by the petitioners before this Court claiming for counting their past services *w.e.f.* 1988 as a daily wagers as a qualifying services for pensionary and other benefits and seniority *w.e.f.* 2003 on the present past.

3. Learned counsel for both the parties submits that the issue involved in both this is covered by the judgment passed by this Court in the case of (***Sudama Prasad Pandey Vs. State of M.P. & Ors.***) in W.P. No.16878/2010 decided on 16/12/2010 as well as the judgment passed by the Apex Court in the case of ***Netram Sahu Vs. State of Chhattisgarh*** in Civil Appeal No.1254/2018 decided on 23/03/2018.

4. In view of the aforesaid, both the present petition stands disposed of with a direction to the respondents to consider the case of the petitioners in the light of the judgment passed by this Court in the case of ***Sudama Prasad Pandey*** (supra) as well as the judgment passed by the Apex Court in the case of ***Netram Sahu*** (supra) for counting the past services of the petitioners (as a daily wagers) as a qualifying services. The said exercise be carried out within a period of three months from the date of receipt of certified copy of the order. If the case of the petitioners are squarely covered by the aforesaid judgments and

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they have been found eligible, then the same benefit be extended to the petitioners.

5. With the aforesaid observations, the writ petition stands disposed off.

Certified copy as per rules

(PRANAY VERMA)
JUDGE

SS/-

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