IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VIVEK AGARWAL

ON THE 29th OF JANUARY, 2024

WRIT PETITION No. 11943 of 2020

BETWEEN:-

1. **YASHWANT RAO PATLE S/O LATE SHRI GANGARAM PATLE, AGED ABOUT 69 YEARS, OCCUPATION: RETIRED AS FORESTER IN THE DIVISIONAL FOREST OFFICER SOUTH TERRITORIAL FOREST DIVISION BALAGHAT MP (MADHYA PRADESH)**

2. **PHAGURAM MESHRAM S/O LATE SHRI JAGATLAL MESHRAM, AGED ABOUT 69 YEARS, OCCUPATION: RETIRED AS DEPUTY RANGER IN THE O/O DIVISIONAL FOREST OFFICER SOUTY TERRITORIAL FOREST DIVISION (MADHYA PRADESH)**

3. **DHANU DAS BHARTI S/O SHRI HARGUJI BHARTI, AGED ABOUT 71 YEARS, OCCUPATION: RETIRED AS DEPUTY RANGER IN THE O/O DIVISIONAL FOREST OFFICER SOUTY TERRITORIAL FOREST DIVISION (MADHYA PRADESH)**

4. **JEEVAN LAL PATLE S/O SHRI BENIRAM PATLE, AGED ABOUT 64 YEARS, OCCUPATION: RETIRED FORESTER IN THE O/O DIVISIONAL FOREST OFFICER SOUTY TERRITORIAL FOREST DIVISION (MADHYA PRADESH)**

5. **BHARATLAL RAHANGDALE S/O NEELKANTH RAHANGDALE, AGED ABOUT 64 YEARS, OCCUPATION: RETIRED AS DEPUTY RANGER IN THE O/O DIVISIONAL FOREST OFFICER SOUTY TERRITORIAL FOREST DIVISION (MADHYA PRADESH)**

6. **GEND SINGH SAIYAM S/O SHRI NAVAL SINGH SAIYAM, AGED ABOUT 65 YEARS, OCCUPATION: RATIRED AS RANGER IN THE O/O DIVISIONAL FOREST OFFICER SOUTY TERRITORIAL FOREST DIVISION (MADHYA PRADESH)**

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.....PETITIONERS

(BY SHRI RAHUL MISHRA - ADVOCATE)

AND

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

2. **STATE OF M.P. THR. PRINCIPAL SECRETARY DEPT. OF FINANCE MANTRALAYA VALLABH BHAWAN (MADHYA PRADESH)**

3. **PRINCIPAL CHIEF CONSERVATOR OF FOREST FOREST DEPARTMENT SATPURA BHAWAN BHOPAL (MADHYA PRADESH)**

4. **DIVISIONAL FOREST OFFICER SOUTH PRODUCTION FOREST DIVISION DISTT. BALAGHAT (MADHYA PRADESH)**

5. **DIVISIONAL FOREST OFFICER SOUTH TERRITORIA DISTT. BALAGHAT (MADHYA PRADESH)**

6. **DIVISIONAL FOREST OFFICER NORTH PRODUCTION FOREST DIVISION DISTT. BALAGHAT (MADHYA PRADESH)**

7. **DISTRICT PENSON OFFICER BALAGHAT DISTT. BALAGHAT (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI)

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

ORDER

Petitioners' contention is that, petitioners attained the age of superannuation on 30.06.2023 they are entitled to an increment which had fallen due on 01.07.2023 in view of the decision of Hon'ble the Supreme Court in the case of ***Madhya Pradesh Power Transmission Company Ltd. & another***

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Vs. S.R. Ramchandran and others (SLP (C) No. 8219 of 2020) decided on 11.07.2023.

In addition, petitioners also pray that respondents be directed to consider their case for grant of 3rd and 4th time scale of pay as per their eligibility, with all consequential benefits.

This petition can be disposed of in the following terms:

(i) As far as grant of increament is concerned, this case will be covered by the orders of the Supreme Court in ***SLP (C) No. 8219/2020 (supra)***.

(ii) As far as grant of 3rd and 4th Time Scale of Pay is concerned, respondents shall consider the case of petitioners within 60 days from the date of receipt of certified copy of the order and shall decide the same through a speaking order under communication to the petitioners.

This Court has not expressed any opinion on the merits of the case.

With the aforesaid direction, this writ petition is disposed of.

(VIVEK AGARWAL)
JUDGE

A.Praj.

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