HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil Writ Petition No. 3471/2005

Chief Medical And Health Officer and Anr.

----Petitioners

Versus

Chaturbhuj and Anr

----Respondents

For Petitioner(s) : None present
For Respondent(s) : Mr. Achraj Singh

JUSTICE DINESH MEHTA

Order

12/02/2025

I.A. No.01/2021 :-

1. The respondent-workman has moved the present application seeking directions to the petitioner- State for giving minimum of the pay scale.

2. The facts in a nutshell are that the petitioners have challenged the judgment and award dated 26.02.2003 passed by the learned Labour Court, Bhilwara in labour case No.56/97. The present petition was admitted by this Court on 03.10.2006 and effect and operation of the award had been stayed to the extent of payment of back-wages. Meaning thereby the petitioner – State was required to reinstate the respondent – workman and continue to pay him the wages in accordance with law.

3. The respondent – applicant has asserted that he is being paid only Rs.200/- per month.

4. No reply has been filed in spite of the fact that the application was filed on 07.12.2021 and the matter was adjourned on number of occasions i.e. 19.07.2023, 19.10.2023, 12.01.2024,

01.02.2024, 19.11.2024, 26.11.2024, 16.12.2024, 10.01.2025 and 28.01.2025.

5. The application is, therefore, allowed. The petitioners are directed to pay minimum of the pay scale applicable to a Ward Boy.

6. It will be required of the Chief Medical and Health Officer, Pratapgarh to commence the payment as ordered hereinabove by 1st March, 2025.

7. An order in relation to the arrears of the pay shall be passed at the time of final hearing of the writ petition.

8. In case the petitioner – State does not pay the minimum of regular pay scale, the respondent – applicant shall be free to move an application under Article 215 of the Constitution of India seeking initiation of contempt proceedings against the erring officials of the State.

(DINESH MEHTA),J

66-Arun/-