

(State of MP Vs. Vijay Singh Yadav)

30/09/2014

Shri Raghvendra Dixit, Government Advocate for the appellants-State.

Shri MS Rana, Advocate for the respondent.

Heard on IA No. 5893/2014, an application for condonation of delay.

There is delay of 55 days in filing this appeal.

Considering the reasons assigned in the application, the same is allowed and the delay in filing this appeal is hereby condoned.

Also heard on admission.

This appeal has been filed against the order dated 28th April, 2014 passed by the writ Court in Writ Petition No. 7085/2012(S).

The writ Court directed that the respondent be given benefits of 6th Pay Commission. Earlier, the respondent filed an application before the labour Court for classification. It was allowed by the labour Court and the labour Court ordered classification. Against the order of the labour Court, an appeal was filed by the employer before the Industrial Court, that was dismissed. Thereafter, a writ petition was filed by the employer before this Court, that was also dismissed. The appellants granted benefits of 5th Pay Commission to the respondent in pursuance to the order passed by the writ Court.

In such circumstances, in our opinion, the writ Court has rightly ordered that the respondent is also eligible to receive pay scale of 6th Pay Commission w. e. f. 01-01-2006 with all consequential benefits. Hence, we do not find any merit in this writ appeal. It is hereby dismissed.

(S.K.Gangele)
Judge

MKB

(S.K.Palo)
Judge