

W.P.NO.11409/2014

31.7.2014

Shri Ajeet Singh learned counsel for the petitioner.

Shri V.Agrawal, learned counsel for respondent no.1.

Shri M.K.Agrawal, learned counsel for respondents no.2,3,4 and 6 on advance notice.

Petitioner, an employee in Gramin Vidyut Sahakari Samiti Rewa vide this petition seeks direction to respondents particularly respondent no.2,3,4 and 6 to give the benefit of higher pay scale and also the benefit of 5th Pay Commission to the petitioner from the date of his entitlement and after completion of 10 and 20 years of service with all service benefit including arrears.

The relief is being sought on the basis of decision rendered in Panchraj Tiwari V.M.P.State Electricity Board and others:(Civil Appeal No.4371/2008), Uma Shankar Dwivedi V. M.P State Electricity Board and others in W.P.No.5458/2011 decided on 4.3.2014 which was later on affirmed in W.A.No.415/2013 (M.P. State Electricity Board and other V. Uma Shankar Dwivedi).

Since parity is being drawn with Panchraj Tiwari (supra) &Uma Shankar Dwivedi (supra) and that the petitioner instead of approaching the Competent Authority has rushed to this Court, therefore instead of dwelling upon the aspect as to whether the petitioner is at par with Panchraj Tiwari (supra)& Uma Shankar Dwivedi (supra), the petition is

disposed of with a liberty to the petitioner to approach the respondents /authorities by filing a representation.

Respondents on receiving such representation shall dwell upon the claim of the petitioner and if found at par with Panchraj Tiwari (supra)& Uma Shankar Dwivedi (supra) shall extend the same benefit .

In case the petitioner is not found at par with Panchraj Tiwari (supra) & Uma Shankar Dwivedi (supra) a reasoned order be passed and be communicated to the petitioner. Let the action be taken within a period of three months from the date of communication of this order.

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

Petitioner along with a copy of this order shall also place before the Competent Authority a copy of the petition and the documents annexed therewith.

The petition is disposed of finally in above terms.

C.c as per rules.

(SANJAY YADAV)
JUDGE

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