

**Hon'ble Alok Singh, J.**

Mr. Amar Murti Shukla, Advocate for the petitioner.

Mr. K. N. Joshi, Dy. A.G for the State of Uttarakhand.

An advertisement was issued by respondent no. 4 on 18.09.2014 inviting applications for various posts including the post of X-Ray Technician. Pursuant to the advertisement, petitioner applied and selected on the post of X-Ray Technician on the remuneration of Rs. 350/- per working day. Petitioner joined her duties in Government Combined Hospital Kotdwar, District Pauri Garhwal on 20.11.2014. Remuneration of X-Ray Technician was enhanced from Rs. 350/- to Rs. 500/- vide order dated 20.02.2016.

Mr. Amar Murti Shukla, Advocate for the petitioner submits that petitioner is still working on the post of X-Ray Technician and regularly selected X-Ray Technicians working against sanctioned posts are getting pay scale of Rs. 9,300-34,800 grade pay Rs. 4,600/-, therefore, in view of judgments passed by the Hon'ble Supreme Court in the case of **State of Punjab and others vs. Jagjit Singh and others** reported in (2017) 1 SCC 148 and **Sabha Shanker Dube vs. Divisional Forest Officer and others** reported in (2019) 12 SCC 297 petitioner is also entitled to get minimum of the regular pay scale, as she is also performing the same duties.

On 14.01.2020, time was granted to the State Government to file counter affidavit but till date no counter affidavit has been filed.

In view of the uncontroverted pleadings, present petition is allowed. Respondent no. 4 is directed to pay minimum of the regular pay scale to the petitioner meant for X-Ray Technician, if regularly selected X-Ray Technician is working against the sanctioned post in Government Combined Hospital Kotdwar, and petitioner is still working, within forty five days from today.

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**(Alok Singh, J.)**

28.02.2020

