

Ramashankar Sharma Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Feb-25-2013

Appellant : Ramashankar Sharma

Respondent : The State of Madhya Pradesh

Judgement :

WRIT PETITION No.1626/201

25. 02.2013 None for the petitioneRs.Perused the record.

The controverseRs.involved in the present petition is with respect to grant of benefit of Fundamental Rule 22- D in case of grant of promotion on regular basis.

This Court in the case of R.S.Sikarwar versus State of M.P.and otheRs.2004(3) M.P.L.J.397, has taken note of the law laid-down by the order passed by the M.P.State Administrative Tribunal in the case of Smt.

Kunti Saxena versus State of M.P.(O.A.No.224/1992).and has reached to the conclusion that even if regular promotion is granted on the post carrying the same pay scale, which was granted by virtue of release of Kramonnati, still the benefit of Fundamental Rule 22-D would be available to such an employee.

In view of the law laid-down by this Court in the case of R.S.Sikarwar (supra).the respondents are directed to examine the case of the petitioneRs.make proper fixation of their salary and pay them all the arrears of salary within a period of two

months from the date of receipt of certified copy of the order passed today.

With the aforesaid, the writ petition is finally disposed of.

Certified copy as per rules.

(K.K.Trivedi) Judge Skc

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