

Benkateshwar Singh Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Feb-22-2013

Appellant : Benkateshwar Singh

Respondent : The State of Madhya Pradesh

Judgement :

Review Petition No :

97. / 2013 Benkateshwar Singh versus State of Madhya Pradesh and another
22.02.2013.

Shri Sanjay Singh for the applicant.

Shri Sanjeev Kumar Singh, Panel Lawyer, for the non- applicants.

This application has been filed for clarification/review of an order passed on
7.11.2012, in Writ Petition No.24187/2003.

Applicant was granted promotion on the post of Deputy Director with effect
22.2.1988; and, on the post of Joint Director with effect from 31.12.1996.

However, as the promotions were given only on the basis of notional promotion
and as actual arrears of salary with effect from the date of promotion were not
granted, applicant had filed the application before the State Administration
Tribunal in the year 1999.

After winding up of the Tribunal, matter was transferred to this Court.

The relief claimed for by the applicant was to give him arrears of salary with regard to the promotion on the post of Deputy Director (Agriculture) with effect from 22.2.1988; and on the post of Joint Director with effect from 31.12.1996.

Even though the writ petition was allowed, but inadvertently while granting relief, it was only directed that arrears of salary on the post of Joint Director with effect from 31.12.1996 be granted.

Direction for grant of arrears of salary on the post of Deputy Director with effect from 22.2.1988 was not ordered.

For the grounds and reasons already indicated in the order-dated 7.11.2012, passed in Writ Petition No.24187/2003, applicant was also entitled to arrears of salary on promotion to 2 Review Petition No :

97. / 2013 Benkateshwar Singh versus State of Madhya Pradesh and another the post of Deputy Director with effect from 22.2.1988, and as the said benefit was inadvertently not mentioned in the order, this application is allowed.

Accordingly, it is clarified that by virtue of the order passed on 7.11.2012, in Writ Petition No.24187/2003, arrears of salary on the promoted post of Deputy Director with effect from 22.2.1988; and, on the post of Joint Director with effect from 31.12.1996 shall be granted to the applicant.

With the aforesaid clarification/modification to the order- dated 7.11.2012, passed in Writ Petition No.24187/2003, this application stands allowed and disposed of.

Certified copy as per rules.

(RAJENDRA MENON) JUDGE Aks/-

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