

Suleman Vs. State and ors

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Court : Rajasthan Jodhpur

Decided On : Apr-25-2014

Appellant : Suleman

Respondent : State and ors

Judgement :

S.B. Civil Writ Petition No.3035/2014 Yugal Kishore Modi V/s State and ors. and 3 connected writ petitions. Order dt:

25. 04/2014 1/3 IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER

1 S.B. Civil Writ Petition No.3035/2014 Yugal Kishore Modi V/s State of Rajasthan and ors.

2. S.B. Civil Writ Petition No.3036/2014 Suleman V/s State of Rajasthan and ors.

3. S.B. Civil Writ Petition No.3037/2014 Arvind Kumar Jha V/s State of Rajasthan and ors.

4. S.B. Civil Writ Petition No.3038/2014 Surendra Kumar V/s State of Rajasthan and ors. Date of Order :::

25. On April, 2014 PRESENT HON'BLE Dr. JUSTICE VINEET KOTHARI Mr.Sudheer Sharma, for the petitioners. --- BY THE COURT:

1. The petitioners are employees of the respondent - Public Health and Engineering Department and have claimed grant of selection grade upon completion of 9, 18 and 27 years of service in terms of Notification dtd.25.1.1992. The prayers made in the writ petition are as under: It is, therefore, humbly prayed that the present writ petition may kindly be allowed and by an appropriate writ, order or direction: S.B. Civil Writ Petition No.3035/2014 Yugal Kishore Modi V/s State and ors. and 3 connected writ petitions. Order dt:

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1. The petitioner be declared entitled for Second Selection Scale in the pay scale of Rs.4000-6000 and third selection grade on completion of 27 years of service in the pay scale of Rs.5000-8000/- instead of Rs.4000- 6000 in accordance with the orders dated 25.1.1992 and 17.2.1998.

2. Any other appropriate order or direction, which this Hon'ble Court deems fit may be passed in favour of the appellant.. 2. The learned counsel for the petitioners, Mr. Sudheer Sharma also submitted that in several such cases, this Court has directed grant of selection grades to the petitioners and consequently, such petitioners before this Court have been granted selection grades and therefore, the present petitioners deserve to be granted same relief. He, however, approached this court without approaching the respondent - Department for grant of selection grade.

3. This Court is of the opinion that the petitioners ought to have first approached the respondent - Chief Engineer (Rural), Public Health and Engineering Department, Jaipur for grant of selection grade as granted to other petitioners before this Court and since in various such cases, such orders have been passed by this S.B. Civil Writ Petition No.3035/2014 Yugal Kishore Modi V/s State and ors. and 3 connected writ petitions. Order dt:

25. 04/2014 3/3 court, there appears to be no reason that the respondent - Department will not give the same treatment to the present petitioners also. However, at this stage, it will be premature for this Court to straightway direct grant of selection grades as individual cases of the petitioners require consideration by the respondents.

4. Accordingly, these writ petitions are disposed of with a liberty and directions to the petitioners to approach the respondent - Chief Engineer (Rural), Public Health and Engineering Department within a period of two weeks from today and the said authority is expected to decide the representation of the petitioners in accordance with law after giving an opportunity of hearing to the petitioners within a period of three months. No order as to costs. A copy of this order be sent to the parties concerned forthwith. (Dr. VINEET KOTHARI), J.

ss/- 8-11

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