

Durga Ram Choudhary Vs. State and ors

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Court : Rajasthan Jodhpur

Decided On : Jul-07-2014

Appellant : Durga Ram Choudhary

Respondent : State and ors

Judgement :

S.B.Civil Writ Petition No.3989/2014 Vijaypal versus State of Rajasthan & ORS.Along-with connect 11 writ petitions.

Order dt: 07/07/2014 1/3 IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER

(1) S.B.Civil Writ Petition No.3989/2014 Vijaypal versus State of Rajasthan & ORS.& (2) S.B.Civil Writ Petition No.3919/2014 Kalu Ram versus State of Rajasthan & ORS.& (3) S.B.Civil Writ Petition No.3933/2014 Yogendra Singh versus State of Rajasthan & ORS.& (4) S.B.Civil Writ Petition No.3988/2014 Dhulji versus State of Rajasthan & ORS.& (5) S.B.Civil Writ Petition No.3990/2014 Gomti Shankar versus State of Rajasthan & ORS.& (6) S.B.Civil Writ Petition No.3991/2014 Surya Singh versus State of Rajasthan & ORS.& (7) S.B.Civil Writ Petition No.3992/2014 Shankar Lal Rathore versus State of Rajasthan & ORS.& (8) S.B.Civil Writ Petition No.3993/2014 Rakma versus State of Rajasthan & ORS.& (9) S.B.Civil Writ Petition No.3996/2014 Kishore Kumar Sharma versus State of Rajasthan & ORS.& S.B.Civil Writ Petition No.3989/2014 Vijaypal versus

State of Rajasthan & ORS. Along-with connect 11 writ petitions.

Order dt: 07/07/2014 2/3 (10) S.B.Civil Writ Petition No.3997/2014 Durga Ram Choudhary versus State of Rajasthan & ORS. & (11) S.B.Civil Writ Petition No.3998/2014 Ratan Lal versus State of Rajasthan & ORS. & (12) S.B.Civil Writ Petition No.3999/2014 Devman Ram versus State of Rajasthan & ORS. & (13) S.B.Civil Writ Petition No.3896/2014 Praveen Kumar Jain versus State of Rajasthan & ORS. Date of Order ::: 07th July, 2014 PRESENT HON'BLE Dr.

JUSTICE VINEET KOTHARI Appearance: Mr. Ravindra Singh, for the petitioner.

-- BY THE COURT: 1.

The petitioners have preferred the present writ petition claiming parity of pay of the Work Charge Employees (Mistry) with the regularly appointed Mistry in the respondent- Mahi Bajaj Sagar Project, Banswara.

Since the common controversy is involved in these writ petitions, therefore, the facts illustratively are taken of the writ petition filed by the petitioner Vijaypal, being SBCWP No.3989/2014- Vijaypal versus State & ORS. 2.

The petitioner has already approached the respondent i.e. the concerned Assistant Engineer, the employer, by way of suitable representation vide Annex.6 dated 20.01.2014.

Learned S.B.Civil Writ Petition No.3989/2014 Vijaypal versus State of Rajasthan & ORS. Along-with connect 11 writ petitions.

Order dt: 07/07/2014 3/3 counsel for the petitioner also submitted that there are judgments in the case of similarly situated persons by this Court, and upheld by the Hon'ble Supreme Court and the petitioners are being similarly situated, are also equally entitled for the same relief.

3.

Since, the representation has already been filed by the petitioner before the competent authority, the petitioner cannot be permitted to avail simultaneous

remedy of writ petition under Article 226 of the Constitution of India and the concerned authority is expected to decide the pending representations expeditiously in accordance with law.

Therefore, the petitioners will be well advised to pursue the same to its logical end, and, however, if any adverse order is passed by the competent authority, the petitioners will be free to avail his legal remedy in accordance with law.

4.

With these observations, these writ petitions are disposed of accordingly.

No costs.

A copy of this order be sent to the concerned parties forthwith.

(Dr.

VINEET KOTHARI).J.

DJ/- 3 C-1 to 11 C-1

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