IN THE HIGH COURT OF MADHYA PRADESH AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE ANAND PATHAK

ON THE 21st OF JUNE, 2023

WRIT PETITION No. 12825 of 2023

BETWEEN:-

1. **RAKESH KUMAR KEWAT S/O SHRI BABULAL, AGED ABOUT 50 YEARS, OCCUPATION: PEON OCCUPATION GOVERNMENT BOYS HIGHER SECONDARY SCHOOL ISHAGARH, ASHOKNAGAR (MADHYA PRADESH)**

2. **SANTOSH KUMAR KEWAT S/O SHRI HAMIR SINGH, AGED ABOUT 50 YEARS, OCCUPATION: P E O N OCCUPATION GOVERNMENT BOYS HIGHER SECONDARY SCHOOL ISHAGARH, ASHOKNAGAR (MADHYA PRADESH)**

3. **VISHNU PRASAD S/O SHRI MUNNALAL CHIDAR, AGED ABOUT 53 YEARS, OCCUPATION: PEON OCCUPATION GOVERNMENT BOYS HIGHER SECONDARY SCHOOL ISHAGARH, ASHOKNAGAR (MADHYA PRADESH)**

सत्यमेव जयते

.....PETITIONERS

(BY SHRI K.K. SHRIVASTAVA - ADVOCATE)

AND

1. **THE STATE OF MADHYA PRADESH THROUGH PRINCIPAL SECRETARY, SCHOOL EDUCATION DEPARTMENT VALLABH BHAWAN BHOPAL (MADHYA PRADESH)**

2. **COMMISSIONER PUBLIC INSTRUCTION MADHYA P R A D E S H GUTAM NAGAR BHOPAL M.P. (MADHYA PRADESH)**

3. **COMMISSIONER EDUCATION DEPARTMENT BHOPAL M.P. (MADHYA PRADESH)**

4. **THE DISTRICT EDUCATION OFFICER ASHOKNAGAR M.P. (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI VISHAL TRIPATHI - GOVERNMENT ADVOCATE)

This petition coming on for admission this day, the court passed the following:

ORDER

1. The present petition is preferred under Article 226 of the Constitution of India, petitioners are aggrieved by the illegal and arbitrary denial of regular pay scale to employees who are working in the Work Charged and Contingency Paid Establishment against sanctioned vacant posts.

2. Learned counsel for the petitioners has submitted that the matter is entirely covered by the order passed in W.P.No.8048/2010 in the case of Kailash Chandravanshi and others Vs. State of M.P. and others and in W.P.No.2533/2008(s) in the case of Nand Kishore Vyas and Others Vs. State of M. P. and another.

3. Learned counsel for the respondents/State has submitted that the controversy involved in the present case is covered by the order delivered in the case of Kailash Chandravanshi (supra) and Nand Kishore Vyas (supra) and he has not objected to the reasonable prayer made by the counsel for the petitioners.

4. In view of the above, without commenting on the merits of the case, the present petition stands disposed of with a direction to the respondents to consider the petitioners' claim as raised vide Annexure P/5, in the light of Kailash Chandravanshi (supra) and Nand Kishore Vyas (supra) and subject to verification if the petitioners are found entitled for the benefit, the same be extended to the petitioners as has been extended in other identical matters. The aforesaid exercise shall be completed within a period of four months from the date of receipt

of copy of this order.

5. With the aforesaid, writ petition stands disposed of.

6. Certified copy as per rules.

(ANAND PATHAK)
JUDGE

Ashish*

ASHISH CHAURASIA

THE HIGH COURT OF MADHYA PRADESH
सत्यमेव जयते