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**IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR**

**BEFORE  
HON'BLE SHRI JUSTICE VISHAL DHAGAT**

**ON THE 24<sup>th</sup> OF APRIL, 2024**

**WRIT PETITION No. 9159 of 2024**

**BETWEEN:-**

1. **KAMLESH PRASAD MISHRA S/O RAM BHUVAN MISHRA, AGED ABOUT 53 YEARS, OCCUPATION: SERVICE WORKING AS MATE MORAI PURANI BASTI WARD NO 9 TEHSIL HUZUR ANANTPUR REWA DISTRICT REWA (MADHYA PRADESH).**
2. **SMT. SHYAMWATI SAKET W/O RAMDEEN SAKET, AGED ABOUT 56 YEARS, OCCUPATION: SERVICE WORKING AS GARDNER R/O WARD NO.25 BEHIND POST OFFICE, BAN SAGAR COLONY SAMAN TEHSIL HUZUR, DISTRICT REWA (MADHYA PRADESH).**

**....PETITIONERS**

***(BY SHRI K.K. AGNIHOTRI - ADVOCATE)***

**AND**

1. **THE STATE OF MADHYA PRADESH THROUGH THE PRINCIPAL SECRETARY DEPARTMENT OF WATER RESOURCES MANTRALAYA VALLABH BHAWAN, BHOPAL (MADHYA PRADESH).**
2. **THE ENGINEER IN CHIEF, WATER RESOURCES DEPARTMENT AMARKANTAK BHAWAN, BHOPAL (MADHYA PRADESH).**
3. **THE CHIEF ENGINEER, BAN SAGAR DEPARTMENT GANGA KACHHAR, REWA DISTRICT REWA (MADHYA PRADESH).**
4. **THE SUPERINTENDENT ENGINEER, BAN SAGAR NAGAR / CANAL DIVISION, REWA DISTRICT REWA (MADHYA PRADESH).**
5. **THE EXECUTIVE ENGINEER, BAN SAGAR NAGAR / CANAL DIVISION, REWA DISTRICT REWA (MADHYA PRADESH).**

6. THE SUB DIVISIONAL OFFICER, SUB DIVISION NO.4 UPPER PURWA CANAL, DIVISION REWA, DISTRICT REWA (MADHYA PRADESH).

.....RESPONDENTS

*(BY SHRI GIRISH KEKRE - GOVERNMENT ADVOCATE)*

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

**ORDER**

Petitioners have filed this petition under Article 226 of the Constitution of India making a prayer to grant benefit of increments of pay, arrears and other benefits from date of order passed by the Labour Court.

2. Pursuant to the order of the Labour Court, order was passed on 19.02.2024 that petitioners be granted pay scale of Maid of Rs. 2550-3200 DA and increments admissible. Petitioners have preferred repeated representations but said benefits have not been granted to them. In these circumstances, counsel for the petitioners makes a prayer that respondents be directed to consider and decide their representation and grant benefit admissible to them in accordance with law.

3. Government Advocate appearing for respondents/State opposed the petition.

4. Heard the counsel for the parties.

5. Petitioners are entitled to similar benefits as has been granted to other employees, if respondents found that petitioners are identically placed and similarly situated. There is delay in filing of petition, therefore, if petitioners finally succeed in their claim then they will not be entitled to get the arrears and interest on it, but only for a period of 3 years.

6. In view of aforesaid, petition filed by petitioners is disposed off

directing respondents to consider representation of petitioners taking into account earlier orders passed by Courts and in accordance with law. If case of petitioners is found identical to that of other co-employees, then petitioners may also be given the benefit for a period of last 3 years from the date of filing of petition.

7. Writ petition is **disposed off** with aforesaid direction.

8. C.C. as per rules.

vkt

(VISHAL DHAGAT)  
JUDGE

