



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>WPSS/1399/2022</u> <u>With</u> <u>WPSS/1397/2022</u> <u>WPSS/1549/2022</u> <b><u>Hon'ble Manoj Kumar Tiwari, J</u></b></p> <ol style="list-style-type: none"><li>1. Mr. Anup Kumar Verma Joshi, learned counsel for the petitioners.</li><li>2. Mr. S.S. Chaudhary, learned Standing Counsel for the State of Uttarakhand.</li><li>3. Mr. Shailendra Singh Chauhan, learned counsel for the respondent-Nagar Palika Kichha.</li><li>4. Petitioners were engaged on contract for discharging duties on different Group 'C' posts in Nagar Palika Parishad Kichha, between 2012-2015. According to them, even though they have been serving continuously to the satisfaction of all concerned in Nagar Palika Parishad, however, they are still being paid ₹455/- per day as wages.</li><li>5. Since common questions of fact and law are involved in the petitions, therefore, these petitions are clubbed together and decided by this common judgment. However, for the sake of brevity and convenience, facts of WPSS No. 1399 of 2022 alone are being considered and discussed.</li><li>6. It is submitted by learned counsel for the petitioners that after serving for more than a decade against sanctioned vacant post, petitioners have earned right to be considered for regularisation</li></ol>



and at any rate they cannot be denied the benefit of minimum of pay scale.

7. By means of this writ petition, petitioner has sought the following reliefs:

- (i) Issue a writ, order or direction in the nature of certiorari calling for records and quash the order dated 30.06.2022 contained in Annexure No. – 1 to the writ petition passed by the respondent no. 1, which has been aimed for denying benefits arising to the petitioner in the light of the judgment of the Hon'ble Supreme Court passed in the case of 'State of Punjab & others Vs. Jagjit Singh & others' reported in (2017) 1 Supreme Court Cases 148 as well as in the judgment of 'Sabha Shankar Dubey Vs. Divisional Forest Officer & others' reported in (2019) 12 Supreme Court Cases 297.
- (ii) Issue a writ, order or direction in the nature of mandamus commanding the respondent nos. 1 & 2 to pay the petitioner 'minimum of pay scale' of Rs. 5200-Rs.20200 with grade pay of Rs. 2000 (21,700-69100 Level-3) as being paid to the regular employee working on the post of 'Tax Collector/Tax & Revenue Moharir' on the principle of 'equal pay for equal work'.
- (iii) Issue a writ, order or direction in the nature of mandamus commanding the respondents not to show any displeasure towards the petitioner for approaching Hon'ble court by way of the depriving him from legitimate and law full claim.

8. Learned counsel for the petitioners submits that Hon'ble Supreme Court has recently in the case of *Shah Samir Bharatbhai & others vs State of Gujarat & others*, reported as 2025 SCC OnLine SC 1788, directed for paying minimum of pay scale. He also relies upon judgments rendered by Hon'ble Supreme Court in the case of *State of Punjab & others vs. Jagjit Singh & others*, reported as (2017) 1 SCC 148 as well as *Sabha Shankar Dubey vs. Divisional Forest Officer & others*, reported as (2019) 12 SCC 297.



2026:UHC:2043

9. Mr. Shailendra Chauhan, learned counsel appearing for the Nagar Palika Parishad Kichha submits that if petitioners have any grievance then they can make representation(s) to the Competent Authority.

10. The writ petitions are, accordingly, disposed of by permitting petitioners to make representations regarding minimum of pay scale to the Executive Officer concerned. If petitioners make separate representations, claiming minimum pay scale, within two weeks from today, decision thereupon shall be taken, as per law, within eight weeks thereafter. It goes without saying that Executive Officer shall re-visit the issue and decide the claim of the petitioners, untrammelled by any observation made in earlier order dated 30.06.2022 impugned in these writ petitions.

**(Manoj Kumar Tiwari, J)**

23.03.2026

Aswal