
Sichai Mazdoor Sangh and Another Vs State of U.P. and Others

C.M.W.P. No. 17350 of 1992

Court: Allahabad High Court

Date of Decision: Dec. 18, 1995

Citation: (1996) 1 UPLBEC 9

Hon'ble Judges: S.P. Srivastava, J

Bench: Single Bench

Judgement

S.P. Srivastava, J.

Heard the counsel for the petitioner as well as learned standing counsel.

2. This case has been listed peremptorily pursuant to the order of the court dated 13.12.1995. In spite of repeated opportunity having been

afforded vide the order dated 19.5.1992 as well as the order dated 24.11.1995, no counter-affidavit has been filed by the learned standing

counsel representing the contesting Respondent.

3. It is stated that the question involved in the present writ petition is identical to the question decided in Civil Misc. Writ Petition No. 3558(S/S) of

1992 (Lucknow Bench) Suresh Chandra Tewari and Ors. v. State of U.P. and Ors. by judgment dated 18.5.1994.

4. Accordingly, for the reasons/findings given in the aforesaid judgment dated 18.5.1994 passed in the Civil Misc. Writ Petition No. 3558 (S/S) of

1992 (Lucknow Bench) the present writ petition succeeds and the notification dated 20.2.1992 a true copy of which has been filed as Annexure-8

to the writ petition where under the nomenclature of the members of the petitioner No. 1 whose names are disclosed in Annexure-1 to the writ

petition has been changed to that of tube-well assistants and an honoraria of Rs. 550 per month has been fixed is quashed. The Respondents are

directed to pay henceforth to all the members of the petitioner No. 1 whose names are disclosed in the Annexure-1 to the writ petition the same

pay and allowance in the same scale of pay in which other regularly appointed tube-well operators are being paid so long as they continue to hold

the office and discharge the duties of tube-well operators.