

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NOS.1486-1487/2020  
[@ SLP [C] NOS.11651-11652/2019]

UTTARANCHAL VAN SHRAMIK SANGH RANIBAGH ETC. Appellant (s)

VERSUS

THE STATE OF UTTARAKHAND & ORS.ETC. Respondent(s)

WITH  
CIVIL APPEAL NOS.1488-1490/2020  
[@ SLP(C) No. 25803-25805/2019]

O R D E R

Leave granted.

On hearing learned counsel for the parties and perusing the pleadings and affidavits, learned counsel for the appellant confined the relief to grant of minimum pay scale as is available to their counterparts in Government. He submits that what is being paid is on the basis of 6<sup>th</sup> Pay Commission while the directions passed in *State of U.P. & Ors. v. Putti Lal-* (2006) 9 SCC 337 makes it quite clear that what has to be granted is "*minimum of the pay scale as is available to his counter part in the Government until his services are regularised and he is given regular scale of pay.*"

Insofar as the aspect of dearness allowance is concerned, learned senior counsel initially sought to rest his case on the judgment pertaining to Uttar Pradesh but then stated that even the State of Uttarakhand, the State in question has given dearness allowance in certain cases.

Suffice for us to say that if dearness allowance is being given to other daily wagers, naturally the State will not discriminate the daily wagers on this aspect.

We are in agreement with the claim of learned counsel that in view of the judgment referred to aforesaid the minimum of the pay-scale as is defined is with reference to the counter parts in the Government holding the Government posts. Thus, if the 7th Pay Commission is implemented (as is conceded) qua the regular employees, the workers like the appellants would be entitled to the minimum of the pay-scale of those regular Government employees of the Group D posts.

The appeals are accordingly disposed of in terms thereof.

CIVIL APPEAL NOS.1488-1490/2020  
[ @ SLP(C) No. 25803-25805/2019 ]

None appears for the appellants. The matters were tagged with Civil Appeal Nos.1486-1487/2020 @ SLP [C] NOS.11651-11652/2019 which have been disposed of today.

Leave granted.

The present appeals also stand disposed of in terms of the order passed in Civil Appeal Nos.1486-1487/2020 @ SLP [C] NOS.11651-11652/2019.

.....J.  
[SANJAY KISHAN KAUL]

.....J.  
[K.M. JOSEPH]

NEW DELHI;  
FEBRUARY 12, 2020.

ITEM NO.10

COURT NO.12

SECTION X

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 11651-11652/2019

(Arising out of impugned final judgment and order dated 22-02-2019 in SA No. 263/2017 and SA No. 366/2017 passed by the High Court of Uttarakhand At Nainital)

UTTARANCHAL VAN SHRAMIK SANGH RANIBAGH ETC.

Petitioner(s)

VERSUS

THE STATE OF UTTARAKHAND &amp; ORS.ETC.

Respondent(s)

WITH

SLP(C) No. 25803-25805/2019 (X)

Date : 12-02-2020 These petitions were called on for hearing today.  
CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Jitendra Mohan Sharma, Sr. Adv.

Mr. Ajit Sharma, AOR

Mr. K.K. Joshi, Adv.

Mr. Ashish Jhamb, Adv.

Mr. Sandeep Singh, Adv.

Mr. Pranshu Kaushal, Adv.

Mr. Himanshu Tyagi, AOR

Mr. Sumit Kansal, Adv.

Mr. Ayush Negi, Adv.

Ms. Manini Roy, Adv.

For Respondent(s) Mr. Virendra S. Rawat, DAG

Mr. Atul Sharma, AOR

Mr. R.K. Pandey, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeals are disposed of in terms of the signed order.

Pending application, if any, stands disposed of.

(PRADEEP KUMAR)  
COURT MASTER

(ASHA SUNDRIYAL)  
AR CUM PS

[Signed order is placed on the file]