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WP-7255-2014

IN THE HIGH COURT OF MADHYA PRADESH  
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE ANAND SINGH BAHRAWAT

ON THE 17<sup>th</sup> OF SEPTEMBER, 2025WRIT PETITION No. 7255 of 2014*MANOJ KUSHWAHA**Versus**M.P.POWER GENERATING CO.LTD. AND OTHERS*

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Appearance:

*Shri Devesh Sharma and Shri Akhilesh Dubey - Advocates for  
petitioner.*

*Shri Ravi Jain- Advocate for respondents.*

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ORDER

This petition, under Article 226 of Constitution of India, has been filed seeking the following reliefs (s):

"(i) That, the impugned order Annexure P-1 may kindly be declared illegal and be quashed.

(ii) In view of the appointment given to other persons in similar circumstances on the post of OA Grade-III, who were having educational qualification of Higher Secondary pass (10+2) and in view of the orders of regularization passed in their cases immediately after completion of probation period of two years in pursuance to the directions of Principal Seat of this Hon'ble Court the petitioner be also given the same benefit of the post of Plant Assistant Grade-II w.e.f. the initial date of appointment with all consequential benefits of difference of pay and arrears thereof with interest



@12% p.a. in the interest of justice.

(iii) the petitioner be also given benefit of higher pay scale w.e.f. the date he completed 9 and 18 years of service from the date of initial appointment on the post of Plant Assistant Grade-II and arrears along with interest @12% p.a. in the interest of justice.

(iv) That, respondents may kindly be directed to re-fix the salary of petitioner on the post of Plant Assistant w.e.f. 19.03.2011 and not to effect any recovery as contemplated in Annexure P-1.

(v) Any other relief which this Hon'ble Court may deem fit in the circumstances of the case may also be given to the petitioner with cost of this petition."

2. It is submitted by learned counsel for petitioner that similar point was raised in WP. No.4378/2006(s) [**Smt. Mangla Supre Vs. M.P.S.E.B. and Others**] which has been allowed by the co-ordinate Bench of this Court at Principal Seat, Jabalpur on 03.08.2011 and petitioner is also entitled to the same benefit.

3. Learned counsel for the respondents submitted that petitioner's case is not similar to **Smt. Mangla Supre (supra)**.

4. Admittedly, till date the case of petitioner has not been considered by respondents. Thus, taking into consideration the submissions put forth by learned counsel for the parties, this petition is *disposed of* with a direction to petitioner to submit a detailed and fresh representation along with copy of order passed in **Smt. Mangla Supre (supra)** before the competent authority/respondent No.4 within two weeks from today and in turn the



competent authority/respondent No.4 shall examine the case of petitioner in the light of order passed in **Smt. Mangla Supre (supra)** within a period of three months from the date of receipt of certified copy of this order. If the petitioner is found entitled to the same benefit then it be extended to the petitioner without any delay. However, if the petitioner is not found entitled then a detailed, speaking and reasoned order be passed.

5. It is made clear that this Court has not expressed any opinion on the merits of the case.

(ANAND SINGH BAHRAWAT)  
JUDGE

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