



IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE ANAND SINGH BAHRAWAT

ON THE 29th OF OCTOBER, 2025

WRIT PETITION No. 15919 of 2020

SMT. SHANTI BAI

Versus

STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Krishan Kumar Kushwah – Advocate for petitioner.

Shri Yogesh Parashar – Government Advocate for respondent/State.

ORDER

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

- “(a) The petition may kindly be allowed*
- (b) Respondents be directed to grant the benefits to the petitioner in accordance with the judgement of the Hon'ble Apex Court in the case of Ram Naresh Rawat vs Ashwini Ray & Ors [(2017) 3 SCC 436].*
- (c) Any other relief which the Hon'ble Court deems fit in the facts and circumstances of the case.”*



2. Learned counsel for petitioner submits that petitioner is the wife of late Shri Brandavan Rawat who was the permanent classified employee in the respondent/Water Resources Department. It is further submitted that husband of petitioner late Shri Brandavan Rawat was initially appointed as a daily wages employee in the respondent department on 01.07.1978. Thereafter, husband of petitioner was classified as a permanent employee vide order dated 25.10.2005 while working as a *Shramik* (Annexure P/1). Learned counsel for petitioner further submitted that husband of petitioner died in harness on 27.02.2020. It is submitted that the controversy regarding entitlement of emoluments of permanent classified employee has attained finality by judgment rendered by the Hon'ble Apex Court in the case of **Ram Naresh Rawat Vs. Ashwini Ray & Ors [(2017) 3 SCC 436]**, wherein it is held that employees are entitled to get benefit of minimum pay scale after classification. He also placed reliance on the order dated 25.04.2025 passed by the co-ordinate Bench of this Court in the case of **Sita Ram Vs. The State of Madhya Pradesh and others in WP. No.14548 of 2025**.

3. *Per contra*, learned counsel for respondent/State vehemently opposed the prayer made by learned counsel for petitioner by submitting that present petition suffers from delay and laches.

4. Heard learned counsel for the parties.

5. The Water Resources Department by its circular dated 16.10.2024 has decided to pay arrears of minimum pay scale without increment to all classified employees till regularization/Sthaikarmi/death/retirement of deceased employees. Furthermore, it is clear that in service matters, benefit to the similarly situated employees should be granted and employer should not compel each and every



person to approach the Court. Accordingly, objection with regard to delay and latches raised by learned counsel for the State is rejected. Husband of petitioner was classified by order dated 25.10.2005 and thereafter he was given status of Sthaikarmi, therefore, he is entitled for minimum of regular pay scale without increment from 25.10.2005 till status of Sthaikarmi was conferred on him.

6. Accordingly, this petition is ***disposed of*** with a direction to respondents to pay the arrears of minimum of pay-scale without increment to petitioner from 25.10.2005 till the date when her husband was conferred the status of Sthaikarmi.

7. The necessary payment be made within a period of three months from today, failing which delayed payment shall carry interest @ 6% *per annum* from the date of realization till actual payment is made.

(Anand Singh Bahrawat)
Judge

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