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W.P. No.9262 /2019

THE HIGH COURT OF MADHYA PRADESH,INDORE BENCH

W.P. No.9262 /2019

Rajaram Amlawar vs. State of M.P. and others

Indore, Dated: 16/05/2019

Shri Shashank Patwari, learned counsel for the petitioner.

Shri Manish Verma, learned Govt. Advocate for the respondent/State.

With the consent of both the Counsel, this writ petition is heard and disposed of finally.

ORDER

By this writ petition under Article 226 of the Constitution of India, the petitioner has challenged the non-grant of the benefit of Fundamental Rule 22-D for working on the higher post of Head Master Primary School.

Learned counsel for the petitioner submits that, the controversy involved in the present writ petition is squarely covered by the order passed by this Division Bench of this Court in the case of **State of Madhya Pradesh v. Dayaram Patidar** (W.P. No.1104/2004 decided on 4/10/2002) and, therefore, the petitioner is entitled for the benefit as has been extended to Shri Dayaram Patidar.

Learned counsel for the respondents/State has no objection for issuance of a direction to the concerned respondent for examining the petitioner's case in view of the aforesaid order.

On Considering the above submissions, without commenting on the merits of the case, the present petition is disposed of with a direction to the respondents to examine the

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petitioner's case in the light of the order passed in the case of **Dayaram Patidar (supra)** and to pass necessary order positively within a period of six months from the date of receipt of certified copy of this order if eligible, the same benefit be also granted to the petitioner.

With the aforesaid directions, the petition stands disposed of.

C.c. as per rules.

(Ms. Vandana Kasrekar)
JUDGE

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