



IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 29th OF NOVEMBER, 2024

WRIT PETITION No. 37299 of 2024

PRADEEP KUMAR UPADHYAY

Versus

STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Pranay Joshi - Advocate for the petitioner.

Shri Shashank Sharma- P.L. for the State.

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ORDER

1. Heard on the question of admission.

2. This petition has been filed by the petitioner under Article 226 of the Constitution of India seeking the following reliefs:-

7.1 to call for the relevant records of the case from the Respondents;

7.2 to direct the Respondents to decide the Representation of the Petitioner dated 25/09/2024 (*Annexure P/5*) or allow the Petitioner to prefer the fresh separate Representation for grant of the Fourth Kramonnati which was due to him on completion of his 42 years 6 months, which is more than 35 years of the service by issuing a Writ of **MANDAMUS** or any other appropriate Writ, Direction or Order;

7.3 to direct the Respondents to revise the salary and other monetary benefits taking into the account, the above mentioned Fourth Kramonnati of the Petitioner and grant him the arrears and other benefits, after such increment is added to the pay scale of the Petitioner;

7.4 to direct the Respondents to grant the interest at the rate of 10% P.A. on the due amount from the date of the entitlement to the actual payment of such amount to the Petitioner;

7.5 to pass such other order(s) as may be deemed appropriate in the facts and circumstances of the case, to grant relief to the Petitioner."

3. Counsel for the petitioner has submitted that in respect of the grievance of the petitioner, he has already preferred a representation before the respondents/competent authority, but the same has still not been



considered. It is submitted that the respondents/competent authority be directed to decide the petitioner's representation.

4. Counsel for the State, on the other hand, has submitted that the representation of the petitioner shall be decided in accordance with law.

5. Having considered the rival submissions and on perusal of the documents filed on record, this Court is inclined to dispose of this petition with a direction to the petitioner to file a fresh representation along with all relevant documents before the competent authority/respondent No.2 within a period of two weeks from today and if such a representation is filed by the petitioner, the same shall be decided by the competent authority/respondent No.2 by a speaking and reasoned order, in accordance with law, after giving due opportunity of hearing to all the parties concerned, within a further period of three months from the date of receipt of certified copy of this order.

6. It is made clear that this Court has not reflected upon the merits of the case.

7. With the aforesaid, present petition stands **disposed of**.

Certified copy as per rules.

(SUBODH ABHYANKAR)
JUDGE