



IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VISHAL DHAGAT

ON THE 7th OF JANUARY, 2026

WRIT PETITION No. 23100 of 2024

DR. VISHNU KUMAR GUPTA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH

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Appearance:

Shri Manikant Sharma - Advocate for the petitioners.

Shri Pramod Kumar Chaurasia - Govt. Advocate for the State.
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ORDER

Petitioners have filed this writ petition under Article 226 of the Constitution of India making a prayer that petitioners, who are Veterinary Assistant Surgeons/Veterinary Surgeons, may be granted benefit of time scale of pay on parity with Dental Surgeon/Medical Officer.

2. It is submitted by counsel for the petitioners that Dental Surgeons and Medical Officers were extended benefit of time scale of pay on completion of 5 years, 10 years, 15 years and 30 years of service but in case of petitioners, who are Veterinary Assistant Surgeons benefit of time scale of pay is provided to them on completion of 8 years of service. It is submitted that there is discriminatory treatment of petitioners from Dental Surgeons/Health Officers. There is no rational in not providing similar benefits to petitioners on par with Dental Surgeon/Medical Officer. Counsel for the petitioners placed reliance upon judgment passed by High Court at



Delhi in *W.P.(C) No. 2780/2011 in case of Dr. Chandra Shekhar Sahukar Vs. Union of India* dated 14.10.2014. It is submitted that in the said case it was held that there is no reason to say that veterinarians are different from other class of medical and dental practitioners for denying benefit of Dynamic Assured Career Progression Mechanism on par with GDMOs and Dental Doctors. Petitioners/Veterinarians therein were given benefit from the same date when same was extended to GDMOs and Dental doctors. It is submitted that aforesaid judgment dated 14.10.2014 was under challenge before Supreme Court of India in Special Leave to Appeal No. 3505/2015-*Union of India Vs. Dr. Chandra Shekhar Sahukar* which was dismissed vide order dated 30.1.2018. In view of same, petitioners may be extended benefit of time scale of pay after completing 5 years of service as has been extended to GDMOs and Dental Surgeons.

3. Govt. Advocate for the State submitted that petitioners cannot be extended benefit of notification dated 5.10.2023 and 29.2.2024. They cannot be granted benefit of Higher Scale of pay after completing 5 years, 10 years, 15 years and 30 years of service. It is submitted that petitioners and respondents were in different departments. Medical Officer and Dental Surgeon hails from department of Public Health and Family Welfare and Labour Department. Petitioners are working under Veterinary Department. They are being provided the benefit as per directions issued by GAD to all departments. It is submitted that there is differences between two posts based on qualification, rules, conditions of service and experience, therefore, doctrine of equal pay cannot be applied by Courts uniformly. Nature of work



also differs. No parity can be granted to petitioners with Medical Officers and Dental Surgeons. Prayer is made for dismissal of writ petition.

4. Heard learned counsel for the parties.

5. Issue has been put to rest by Apex Court dismissing SLP No. 3505/2015 by passing order dated 30.1.2018. Delhi High Court has passed an order treating veterinarians on parity with Medical and Dental Officers for grant of benefit of Dynamic Assured Career Progression. Dynamic Assured Career Progression is a scheme of Central Government for granting Assured Career Progression to employees so that they may not become stagnate if promotions cannot be granted. Similar scheme was launched by State Government to grant Higher Time Scale of pay after completing definite period of service on same post. Purpose of scheme of State Government to grant higher pay scale to its employees when they cannot be granted promotions after completing particular years of service on the same post is similar to DACP. Higher Pay scale is granted to avoid stagnancy of an employee serving on a post. If higher pay scale is granted then employees will be more vibrant, energetic and active in its duty. Delhi High Court considered the fact that fifth Central Pay Commission made recommendations to complete parity of Veterinary Officer with General Duty Medical Officers and Dental officer in pay scale and career prospects. Said recommendation was again endorsed by Sixth pay commission and by Govt. in Central Civil Services (Revised Pay) Rules, 2008. Fifth CPC did not make any specific recommendations for application of Dynamic Assured Career Progression for Dental Doctor. Dynamic Assured Career Progression



was granted to them on basis of principles of complete parity with General Duty Medical Officer. Said logic *ipso facto* entitles Veterinary Officers to similar benefit in terms of pay scale and career progression. Denial of said benefit was held to be arbitrary, unreasonable and unjustified and suffering from serious non application of mind. Said judgment was given stamp of approval by Apex Court.

6. Considering the law laid down by the Apex Court and facts of the case, it is found that petitioners, who are in veterinary services, are to be entitled on parity with Medical Dental Officers, therefore, petitioners ought to have been granted similar benefit as has been granted to such officers in respect of higher scale of pay.

7. In view of same, writ petition is **disposed off** directing Principal Secretary Department of Animal Husbandry and Dairy, Bhopal to grant benefit of time scale of pay along with arrears to petitioners on completion of 5 years, 10 years, 15 years and 30 years of service respectively. Said benefit be extended from same date when same has been granted to Dental Doctors.

8. Writ Petition is *allowed* and *disposed off*.

(VISHAL DHAGAT)
JUDGE

AD/