



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF MARCH, 2025

PRESENT

THE HON'BLE MR JUSTICE KRISHNA S DIXIT

AND

THE HON'BLE MR JUSTICE RAMACHANDRA D. HUDDAR

WRIT PETITION NO. 6238 OF 2020 (S-KSAT)

C/W

WRIT PETITION NO. 48123 OF 2019 (S-KAT)

IN WP No. 6238/2020

BETWEEN:

SRI. P. JUNJAPPA



...PETITIONER

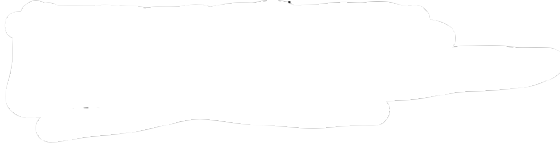
(BY SRI. RANGANATHA S. JOIS, ADVOCATE)

AND:

1. THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS



2. THE CHIEF CONSERVATOR OF FOREST





3. THE DEPUTY CONSERVATOR OF FORESTS



...RESPONDENTS

(BY SRI. VIKAS ROJIPURA, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS RELATING TO THE IMPUGNED ORDER OF THE HON'BLE TRIBUNAL DT 31.7.2019 IN A.NO.3232-3234/2017 VIDE ANNEXURE-A, IN SO FAR AS THE PETITIONER IS CONCERNED, PERUSE THE SAME AND QUASH THE SAID ORDER AS ERRONEOUS AND WITHOUT APPLICATION OF MIND AND DIRECT THE RESPONDENTS TO GRANT THE PRAYER SOUGHT FOR IN A.NO.3232 TO 3234/2017, ALLOW THE APPLICATION BEFORE KSAT AND GRANT THE PRAYER OF REGULARIZATION ON COMPLETION OF 10 YEARS OF SERVICE AND ALSO EXTEND THEM THE PAY SCALE ATTACHED TO THE POST IN WHICH THEY ARE WORKING BY APPLYING THE DOCTRINE OF EQUAL PAY FOR EQUAL WORK AND THE ARTICLE 39(d) OF THE CONSTITUTION OF INDIA WITH ALL MONETARY BENEFITS.

IN WP NO. 48123/2019

BETWEEN:

1. THE COMMISSIONER AND SECRETARY TO GOVT.
DEPT. OF ANIMAL HUSBANDRY AND FISHERIES

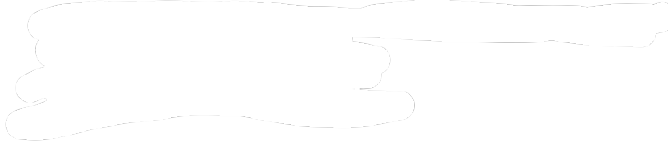




2. THE DIRECTOR
ANIMAL HUSBANDRY AND
VETERINARY SERVICES



3. THE DEPUTY DIRECTOR
AMRUTH MAHAL CATTLE BREEDING STATION



...PETITIONERS

(BY SRI. VIKAS ROJIPURA, AGA)

AND:

1. SRI. KALLAPPA



2. SRI. SABJAN



3. SRI. ANNAPPA





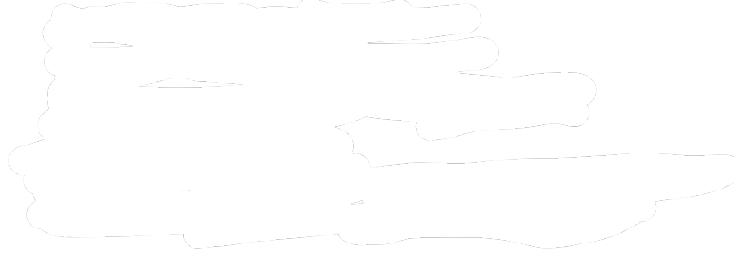
4. SRI. B. MOHAMMAD HAYATH



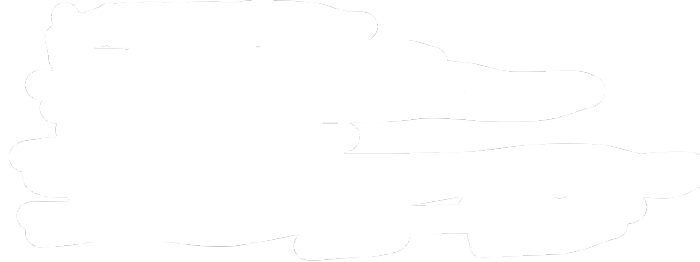
4(A) SMT. RIHANA



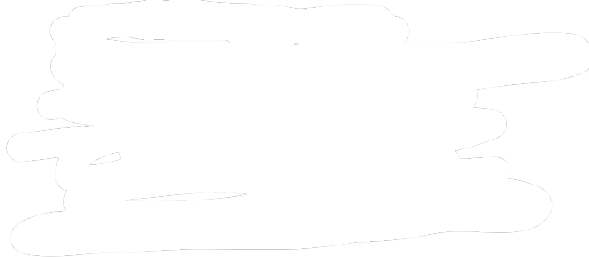
5. SRI. PUTTA



6. SRI. THIMMAPPA



7. SRI. KHAJAPEER





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8. SRI. PAKEERAPPA

[Redacted text]

8(A) Sri. VENKATESH P

[Redacted text]

9. SRI. PEEROJI

[Redacted text]

10. SRI. MANJOJI

[Redacted text]



[Redacted]

11. SRI. HANUMANTHA

[Redacted]

12. SRI. RANGAPPA

[Redacted]

13. SRI. GANGA

[Redacted]

14. SRI. MALLAPPA NAIKA

[Redacted]



[REDACTED]

14(A) SMT. RANGAMMA

[REDACTED]

...RESPONDENTS

(BY SRI. R. SWAMINATHAN, ADVOCATE FOR R1 TO
R7 & R9 TO R14;
R4(A), R8(A) & R14(A) ARE SERVED AND
UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET
ASIDE THE IMPUGNED ORDER DATED 10.10.2018 IN
APPLICATION NOS.1228 TO 1231, 1233 AND 1241 OF 2017
C/W APPLICATION NOS. 4257 TO 4264 OF 2018 ON THE FILE
OF THE HON'BLE KARNATAKA STATE ADMINISTRATIVE
TRIBUNAL AT BENGALURU AS PER ANNEXURE-E.

THESE PETITIONS, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE KRISHNA S DIXIT
and
HON'BLE MR JUSTICE RAMACHANDRA D. HUDDAR



ORAL ORDER

(PER: HON'BLE MR JUSTICE RAMACHANDRA D. HUDDAR)

These two writ petitions are filed by the respective petitioners under Article 226 and 227 of the Constitution of India. As identical questions are involved in both these petitions, as per the orders of this Court dated 24.01.2024, these two matters are posted together with the consent of both the parties. As common argument is heard in both these petitions, these two petitions are heard and disposed of together by passing common judgment, however, findings on facts and on law are separately dealt with.

WP 6238/2020:

2. In this petition, the petitioner has challenged the legality and correctness of the order dated 31.07.2019 passed by the Karnataka State Administrative Tribunal (hereinafter referred to as `KSAT'), wherein the petitioner's application seeking regularization of his service in the



Forest Department was dismissed. By filing this petition, petitioner prays for quashing of the impugned order of KSAT and sought a writ of certiorari directing the respondents to grant regularization of his services along with all consequential monetary benefits.

Factual Background:

3. The petitioner P. Junjappa, was engaged as a daily wage employee in Forest Department over a period of thirty years and has since then, discharging his duties as a Forest Watcher/Driver performing tasks equivalent to those assigned to regular employees. Despite rendering continuous uninterrupted service for an extended period, the petitioner's request for regularization was denied through endorsements dated 29.8.2016 (Annexures-A5 to A7), prompting him to seek redressal before KSAT. But, however, the KSAT, vide order dated 31.07.2019, dismissed his claim for regularization on the following grounds:



- Lack of documentary evidence establishing continuous service.
- Non-fulfillment of conditions prescribed in the land mark decision of the Hon'ble Apex Court in **Secretary, State of Karnataka and Others v. Umadevi (3) and Others**, reported in **(2006) 4 SCC 1**.
- Delay in seeking regularization.
- Failure to demonstrate parity with similarly placed employees who had been granted regularization.

4. Learned AGA took notice on behalf of respondents but, has not filed any objections.

5. We have heard the arguments of learned counsel for the petitioner Sri Ranganath S. Jois and learned AGA and perused the records.



Petitioner's arguments:

6. The learned counsel for the petitioner Sri Ranganath S.Jois would submit that, being aggrieved by the dismissal of the claim of the petitioner by the KSAT, this petition is filed. According to his submission, the petitioner has continuously served the Forest Department for over more than 30 years performing his duties akin to those assigned to the regular employees. He has satisfied the criteria for regularization as per the various Government Orders/Circulars issued both prior to and subsequent to the ***Umadevi*** (*supra*) decision of the Hon'ble Supreme Court. He would submit that, the denial of regularization of the petitioner's service has violated the provisions of Article 14 and 16 of the Constitution of India, as similarly situated employees have been granted regularization. He would submit that, the KSAT has erroneously applied the ratio in the judgment of ***Umadevi*** (*supra*) without appreciating the subsequent decision of the Hon'ble Apex Court in ***State of Karnataka and others vs.***



M.L.Kesari and other reported in **(2010) 9 SCC 247**, **Nihal Singh and others vs. State of Punjab and others** reported in **(2013) 14 SCC 65**, and also the judgment of this Court authored by one of us i.e., Justice Krishna S.Dixit in **State of Karnataka and others vs. M.A.Biradar and another** in **WA 100387/2023 (S-REG)** (Dharwad Bench) which permits the regularization of employees who have completed 10 years of service in sanctioned post. He would further submit that, the non-issuance of final appointment orders should not be a ground for rejection as his continuous service is amply substantiated by salary records and departmental communications so produced along with the petition. He would further submit that, the petitioner's case is distinguishable from the general category of daily wage worker and in that, his duties and responsibilities were indistinguishable from those of permanent employees. In support of his submission, learned counsel for the petitioner cites various precedents wherein, Courts have intervened to prevent arbitrary denial of regularization.



Furthermore, he would submit that, the Doctrine of Legitimate Expectation can be applied to the facts of this case as the petitioner has been continuously employed by the Government for decades. Therefore, he prays to allow the petition and set aside the impugned order of the KSAT.

Respondent's arguments:

7. The learned AGA comprising the State and the Forest Department, opposed the writ petition contending that, the petitioner's engagement was not against a sanctioned post. He would submit that the Hon'ble Apex Court in ***Umadevi*** (*Supra*) has categorically held that, daily wage employees do not have an inherent right to claim regularization. He would submit that, the petitioner has not produced formal appointment order or other conclusive proof demonstrating continuous service in a sanctioned post. He would further submit that, to regularize services of daily wagers which was granted to some employees under the Government Order dated 06.09.1990 but, such benefit cannot be extended post ***Umadevi's*** judgment. He would further submit that, the continuation of petitioner's



employment was a result of interim relief granted by Courts and not due to any official recognition of his service tenure. He also emphasized that, the recruitment rules for the Forest Department require appointments to be made through the prescribed selection process. He argues that allowing regularization of employees like the petitioner would amount to circumventing the recruitment rules, leading to an unfair advantage.

8. We have given our anxious consideration to the submission of both the sides. Perused the records.

Analysis and findings:

9. Upon meticulous examination of the impugned judgment of KSAT and a comprehensive consideration of the arguments advanced by both the sides, this Court finds that, the Tribunal has committed multiple errors in law and on facts, resulting in grave injustice to the petitioner. The following points highlight the fundamental infirmities in the reasoning adopted by the Tribunal.



A. Erroneous application of Umadevi judgment:

10. The Tribunal's reliance on the Constitution Bench judgment in **Umadevi** (*supra*) is misplaced, as it has been applied in a rigid and mechanical manner without considering the subsequent clarification by the Hon'ble Apex Court in **M.L.Kesari** (*supra*). The decision in **M.L.Kesari** (*supra*) categorically stipulate that, employees who have completed ten years of service in sanctioned post prior to the pronouncement of **Umadevi** (*supra*) are entitled to regularization. In the said judgment, the Hon'ble Apex Court clarified that 'those who rendered over ten years of service in sanctioned post should not be deprived of regularization merely due to the procedural delays on the part of the authority'. In this case, it is a specific plea of the petitioner that, he is in continuous service of Forest Department as a Watcher/Driver and his service is on par with the regular employees and he has been engaged in the said services right from the date of his



appointment as a daily wager. This fact is not denied specifically by the respondents. Non-appreciation of continuous service of more than 30 years squarely falls within the protective ambit of the principle laid down in aforesaid judgment. The learned Tribunal has failed to evaluate the substantial evidence furnished by the petitioner including his salary records, service certificates and official departmental correspondences which unequivocally establish his continuous and uninterrupted employment. The absence of a formal appointment order should not in itself, negate the legitimate rights of an employee who has been continuously engaged in service.

B. Violation of Articles 14 and 16 of the Constitution of India:

11. The petitioner has provided cogent evidence to demonstrate that, other similarly situated employees have been granted regularization while he has been arbitrarily denied the same relief.



12. The Tribunal's refusal to consider this prayer of the petitioner on the pretext that, he did not produce certified copies of such order is legally untenable. The burden of proof should lie upon the respondents, who are the custodians of all relevant records, thereby, there shall not be any violation of Articles 14 and 16 of Constitution with regard to prayer made by the petitioner.

C. Unjustified rejection on the grounds of delay:

13. The learned KSAT has erred in dismissing the claim solely on the ground of delay. It is well settled that, delay cannot be the sole criterion to deny service benefits, particularly when an employee has been continuously engaged by the Government. The delay, if any is attributable to the respondents' failure to regularize his services rather than any inaction on the part of the petitioner. It is well settled that, denial of the legitimate rights without justification amounts to violation of fundamental rights under Article 14 and 16 of Constitution of India. The respondents have failed to provide any cogent



reasons for differential treatment meted out to the petitioner vis-à-vis similarly situated employees. Thus, by filing this petition, the principles of equity and justice are prayed by the petitioner which necessitated him to seek relief so sought.

14. The Hon'ble Apex Court in **Jaggo vs. Union of India** reported in **2024 SCC Online SC 3826** has observed in para.20 as under:

"20. It is well established that the decision in Uma Devi (supra) does not intend to penalize employees who have rendered long years of service fulfilling ongoing and necessary functions of the State or its instrumentalities. The said judgment sought to prevent backdoor entries and illegal appointments that circumvent constitutional requirements. However, where appointments were not illegal but possibly "irregular," and where employees had served continuously against the backdrop of sanctioned functions for a considerable period, the need for a fair and humane resolution becomes paramount. Prolonged, continuous, and unblemished service performing tasks inherently required on a regular basis can, over the time, transform what was initially ad-hoc or temporary



into a scenario demanding fair regularization. In a recent judgment of this Court in Vinod Kumar v. Union of India⁵, it was held that procedural formalities cannot be used to deny regularization of service to an employee whose appointment was termed "temporary" but has performed the same duties as performed by the regular employee over a considerable period in the capacity of the regular employee. The relevant paras of this judgment have been reproduced below:

"6. The application of the judgment in Uma Devi (supra) by the High Court does not fit squarely with the facts at hand, given the specific circumstances under which the appellants were employed and have continued their service. The reliance on procedural formalities at the outset cannot be used to perpetually deny substantive rights that have accrued over a considerable period through continuous service. Their promotion was based on a specific notification for vacancies and a subsequent circular, followed by a selection process involving written tests and interviews, which distinguishes their case from the appointments through back door entry as discussed in the case of Uma Devi (supra).



7. The judgment in the case Uma Devi (supra) also distinguished between "irregular" and "illegal" appointments underscoring the importance of considering certain appointments even if were not made strictly in accordance with the prescribed Rules and Procedure, cannot be said to have been made illegally if they had followed the procedures of regular appointments such as conduct of written examinations or interviews as in the present case..."

15. Further, the Hon'ble Apex Court in **SLP (C) No.5873/2025** in **Union Territory of Jammu and Kashmir and Ors. Vs. Abdul Rehman Khanday and Ors.** decided on 7.3.2025 at para.2 of its judgment observed with regard to the conduct of the State Officials/authorities in considering the similar prayers of the daily wagers therein who had sought regularization of their services which reads as follows:

"At the very outset, we are constrained to observe that the present case is a glaring and textbook example of obstination exhibited



by the state officials/authorities, who consider themselves to be above and beyond the reach of law. The inaction of the officers of the petitioner - Union Territory, who took about 16 years to comply with a simpliciter High Court order passed on 03.05.2007, is shocking and prima facie contemptuous.

3. However, what concerns us is not the delay of decades alone, but also the incontrovertible fact that the poor respondents, being daily wage workers, have been repeatedly harassed by the petitioners by passing cryptic orders, thereby overlooking the true import and spirit of the order dated 03.05.2007 passed by the learned Single Judge. In such facts and circumstances, the observations made by the Division Bench of the High Court including the imposition of symbolic cost does not warrant any interference by this Court."

16. Even the co-ordinate Bench of this Court in **Writ Appeal No.100387/2023** decided on 4.9.2024 *supra* authored by one of us i.e., Justice Krishna Dixit following **Nihal Singh** (*supra*) granted the relief of the kind to the private litigants by dismissing the appeal of the State Government. Thus, respondents cannot deny the relief to the petitioner by quoting jurisprudential theories.



CONCLUSION:

17. In view of the aforementioned legal and factual infirmities, it is evident that, the order passed by the KSAT is unsustainable in law. The KSAT has failed to appreciate the legal principles governing regularization, as laid down by the Hon'ble Apex Court in ***M.L.Kesari*** (*supra*) and other precedents. Thus, the petitioner has successfully established his case for regularization and the respondents have not provided any legally tenable justification for denying him this benefit. Therefore, writ petition filed by the petitioner succeeds.

WP No.48123/2019

18. The petitioner-State has filed this petition under Articles 226 and 227 of Constitution of India challenging the order dated 10.10.2018 passed by the KSAT in Application Nos.12282 to 1231, 1233, and 1241/2017 clubbed with application No.4257 to 4264 of 2018 whereby, the Tribunal allowed the claim of the



respondents and directed the State Government to extend the pensionary benefits to them.

19. The records of this petition reveal that, during the pendency of the petition, respondent nos. 4 and 8 died and their legal heirs are brought on record and accordingly cause-title came to be amended.

Factual Background:

20. The respondents were initially engaged as daily wage workers between the years 1963 and 1969 at Amrith Mahal Cattle Breeding Centre, located in Ajjampura Village under the jurisdiction of the Department of Animal Husbandry. Over time, their employment status underwent a change as they were subsequently categorized as Monthly-Rated Labourers (MRLs) or Monthly Paid Laborers (MPLS) signifying a shift from daily wage employment to a more structured and regularized form of service. Despite the fact that, respondents had rendered uninterrupted and continuous service for period exceeding three decades, their rightful claim for pensionary benefits were denied



upon their retirement. This denial lead the respondents to seek legal recourse before the KSAT asserting their employment to pensionary benefits on the ground of parity with other similarly placed employees who had been extended such benefits by the State. Their grievance primarily revolved on the issue of discriminatory treatment in relation to similarly situated employees who had been granted pensionary entitlement while the respondents were arbitrarily deprived of the same, thereby, compelling them to initiate legal proceedings to secure their rights. Therefore, it is prayed by the respondents before the KSAT to grant the reliefs so claimed in their respective applications supra.

21. The petitioner-State appeared before the KSAT and in opposition to the claim raised by the respondents, filed objections by relying upon the provisions of the Government Order No.FD 26 SRF (166) dated 12.5.1966 and contended that, the respondents' employment was explicitly governed by the said Government Order. It is the



contention of the State that, in accordance with the terms of the aforementioned Government Order, the respondents were classified as employees falling under a non-pensionable contingent establishment, which precludes them from claiming any pensionary benefits as a matter of right. It was further contended that, the respondents were only entitled to receive gratuity benefits in accordance with the stipulations of the said Government Order and had no vested right to claim pension which accrued in their favour. The respondent-State sought to distinguish the case of the employees from those of other similarly placed employees relied upon by them by asserting, that the specific circumstances of the case referred to by the employees were not applicable to their claims and could not serve as a basis for extending pensionary benefits.

22. Considering the submissions of both the parties and after thorough examination of the materials placed on record, the KSAT arrived at a decision and allowed the applications filed by the respondents herein. The KSAT,



while adjudicating upon the matter, emphasized the fundamental principles of equal treatment and non-discrimination enshrined in the legal frame work. The KSAT observed that, denying the pensionary benefits to the respondents despite their prolonged and dedicated service for over three decades amounted to any arbitrary and unjustified distinction. Taking into account the principle that similarly placed employees should not be subjected to desperate treatment and thus, KSAT directed the State to extend pensionary benefits to the respondents in the same manner as had been granted to other comparable employees. The decision underscored the necessity of ensuring fairness and uniformity in the treatment of employees who had rendered long years of service, reinforcing the principle that, pensionary entitlements should not be denied on arbitrary and discriminatory grounds.

23. The learned HCGP for the State with all vehemence submits that, the KSAT has committed grave



error in allowing the applications filed by the respondents. He would submit that, as a matter of right, the respondents are not entitled for any pensionary benefits as claimed in their respective applications.

24. In support of his submission, he relied upon the findings of the KSAT as well as submissions of both the side and also Government Circular stated supra.

25. Per contra, the learned counsel for the respondents justifies the findings of the KSAT and submits that, as respondents have worked continuously for more than three decades, when similarly placed employees are entitled for pensionary benefits, these respondents cannot be deprived of the same. He would submit that, the Tribunal was right in allowing the applications of the respondents. Thus, prays to dismiss the petition.

26. We have given our anxious consideration to the submissions of both the side. Perused the record. The fundamental issue raised for adjudication in the present



writ petition pertains to the alleged denial of pensionary benefits to the respondents, despite the fact that such benefits have been extended to other employees who are similarly placed in terms of employment and service conditions. Therefore, the core question, that emerges for consideration is, "whether this differential treatment meted out to the respondents amounts to violation of their constitutional rights enshrined under Articles 14, 16 and 39D of the Constitution of India. Article 14 of the Constitution, mandates that, the State shall not deny any person equality before the law or the equal protection of the laws. This constitutional provision ensures that, no individual or group of individuals is subjected to arbitrary discrimination by the State. The Doctrine of Equality embedded in Article 14 extends to employment related matters and prohibits any unreasonable classification among individuals who are similarly placed. Further, Article 16 reinforces, this principle by guaranteeing equal opportunity in matters relating to public employment and prohibiting discrimination on unreasonable grounds. The



act of granting pensionary benefits to certain employees while simultaneously denying the same to the respondents, who are identically situated, constitutes an instance of hostile discrimination. Such a discriminatory treatment is impermissible under the constitutional scheme and violates the fundamental rights of the respondents. The Hon'ble Apex Court in ***State of Uttar Pradesh v. Arvind Kumar Srivastava***, reported in ***(2015) 1 SCC 347***, has categorically held that, if a particular benefit is extended to one set of employees, the same cannot be denied to another set of employees who are similarly placed unless a reasonable and rationale classification is established. In the instant case, the State Government has failed to demonstrate any distinguishing factor or valid reason justifying the denial of pensionary benefits to the respondents while granting the same to their counter parts. This lack of justification renders the State's action, arbitrary and discriminatory violating the fundamental rights of the respondents under the Constitution.



27. In addition to this, Article 39D of Constitution, which is a part of the directive principles of State Policy enshrines the principle of "*Equal Pay for Equal Work*". This principle has been consistently upheld by the judiciary in various judgments. In ***State of Punjab and Others v. Jagjit Singh and Others***, reported in **(2017) 1 SCC 148**, the Hon'ble Apex Court reaffirmed that artificial classification which deny equal benefits to employees performing the same work cannot withstand constitutional scrutiny. The respondents, having performed duties similar to those of their colleagues who have been granted pensionary benefits, cannot be arbitrarily excluded from receiving the same. The Doctrine of '*Equal pay for equal work*' applies in full force to the present case and denial of pensionary benefits to the respondents is indirect contravention of this well-established constitutional principle. More so, the doctrine of legitimate expectation as expounded by the Hon'ble Apex Court in ***Union of India and Others v. Hindustan Development Corpn. and Others***, reported in **(1993) 3 SCC 499**, is also relevant to



the facts of the present case. The respondents having served under identical conditions and for an equivalent period as their counterparts who have been granted pensionary benefits reasonably expect that, the same treatment would be extended to them. The State's failure to fulfill this legitimate expectation amounts to administrative arbitrariness and unfair treatment. Such arbitrary actions undermine the principles of good governance and transparency that the State as a model employer is expected to uphold.

28. The KSAT in the impugned order has correctly and legally observed that, the claims of the respondents are supported by established precedents wherein similarly situated employees such as B.Vasudeva Murthy and Gopal Poojari were granted pensionary benefits by virtue of Government orders dated 8.9.2011 and 22.10.2013 respectively. The State has not provided any cogent or justifiable explanation for treating the present respondents differentially from these individuals. Such selective



application of benefits is constitutionally impermissible and cannot be sustained in law.

29. Upon a thorough examination of the arguments advanced by both the parties and in light of the well settled principles of law, we find that the impugned order passed by the KSAT does not suffer from any jurisdictional error or legal infirmity. The reason assigned by the KSAT is based on sound legal principles, established judicial precedents and on objective assessment of facts. Therefore, there is no ground warranting interference by this Court. The arbitrary and selective denial of pensionary benefits to the respondents is unconstitutional and legally unsustainable. The State Government being a model employer is expected to uphold principles of fairness, equality and non-discriminatory treatment. Any deviation from these principles constitutes an abuse of executive power and undermines the fundamental rights of the employees.



30. In the light of our discussion made above, WP No.6238/2019 deserves to be allowed and WP No.48123/2019 is liable to be dismissed.

31. Resultantly, we pass the following:

ORDER

WP No.6238/2019 is favoured with following directions:

- (i) The order dated 31.07.2019 passed by the KSAT is hereby quashed.
- (ii) Respondents are directed to consider petitioner's case for regularization in accordance with the principles laid down in ***M.L.Kesari*** (*supra*) and other applicable judgments.
- (iii) The petitioner shall be entitled to all consequential monetary benefits including arrears of pay as per the Doctrine of '*Equal pay for Equal work*'.
- (iv) The entire process of regularization shall be completed within a period of three



months from the date of receipt of certified copy of this order.

Likewise, WP No.48123/2019 is ***dismissed*** as being devoid of merits. Consequentially, the State Government is directed to take the following action:

- (i) Extend pensionary benefits to the respondents in the same manner as granted to other similarly situated employees.
- (ii) Compute and disburse the arrears of pensionary benefits to the respondents within a period of three months from the date of receipt of a certified copy of this judgment.
- (iii) Ensure that no further instances of arbitrary denial of pensionary benefits arise in respect of employees who are similarly placed as that of respondents.
- (iv) A compliance report regarding implementation of this order shall be filed before the Registry of this Court within the



stipulated time frame to ensure adherence to the directions issued herein.

- (v) Keep the original order in Writ Petition No.6238/2020 and a copy of the same in Writ Petition No.48123/2019 for reference.

Costs made easy.

**Sd/-
(KRISHNA S DIXIT)
JUDGE**

**Sd/-
(RAMACHANDRA D. HUDDAR)
JUDGE**

AM/SK
List No.: 1 Sl No.: 4