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Request-95

Deputy Registrar (M)

May kindly see the below placed office note dated 03.03.2017 of the Deputy Registrar(Litigation) duly approved by O.S.D., Litigation regarding writ petition no. 9348 of 2017, Dr. Anil Kumar Singh-II and others Vs. State of U.P. & others regarding grant of three advance increments on the basis of LL.M. Degree, in the Senior Division Cadre and on subsequent promotion.

In this writ petition, the petitioners have stated that they belong to 2003 batch and are the member of Uttar Pradesh Judicial Services. They were granted three advance increments up to cadre of Civil Judge(Jr. Div.) on the basis of LL.M. Degree, but they have not been given the benefits of three advance increments on their promotion to the Senior Division Cadre. Through office note dated 03.03.2017, the Deputy Registrar, Litigation has requested to provide instructions/narrative alongwith supporting materials in reply to the writ petition so that the same may be sent to the learned Special Counsel for the High Court Allahabad, for placing the same before the Hon'ble Court.

In this context it is submitted that earlier vide letter dated 11.02.2014(**Flag at 'A'**), Addl. Director Treasuries, Allahabad had sought clarifications/order in the matter that whether the benefit of three advance increments be given to Judicial officers who have already availed the benefit of three advance increments, on their future promotional post (i.e. Promotion to Senior Division & Higher Judicial Service) separately or not.

Thereafter, through this Court's letter no. 6566/IVf 82(loose) dated 30-04-14(**flag at 'B'**), a specific order/directions has been sought from Government of U.P. in the same matter but no reply has been received from the Government till date.

Thereafter, in pursuance of order passed by Hon'ble Committee & approved by Hon'ble the Chief Justice on dated 07.08.2015(**Flag at 'C'**), the aforesaid matter was again referred to Government for clarification through this Court letter dated 11456/IVF-82(Loose)/Admin(A)/Allahabad dated 27.08.2015(**Flag at 'D'**). A reminder letter No. 16366/IVF-82(loose)/Admin.(A)/Allahabad dated 10.11.2016(**Flag at 'E'**), was also sent to the Government in aforesaid matter but no reply has been received from Government till date.

As per office note dated 23.03.2017 of the Deputy Registrar, Litigation aforesaid information alongwith relevant papers is required to be sent to the Deputy Registrar, Litigation for further necessary action.

Therefore, If approved by the Learned Registrar (Judicial)(Budget), a copy of instant note alongwith copies of relevant letters as mentioned above at flag 'A', 'B', 'C', & 'D', may be sent to the Deputy Registrar(Litigation) so that the same may be provided to the learned Special Counsel for the High Court Allahabad for further necessary action in aforesaid matter?

A

Registrar(B)(C)

may like to approve as proposed at A?

David
06.03.17

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06/3/17
AR

Photocopy sent
Adm
07.03.17
Arosod(S)(Lit.)

AR
07/03/17
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ms
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CA approved
ms
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Sarita
ms
07/3/17
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A.R. (Admin A1)

As per approval dated 07/03/17
of Ld. Register (Jud.) (Budget)
a copy of instant note along
with relevant ~~papers~~ papers
has been provided to the Deputy
Register (Litigation). May (up
on record & file may consign
to record room?

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07.03.17

(ARO)

MS
07/03/17

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Request-95
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4-3-17

O.S.D. (Judicial) (Litigation)

W/3550 L.C. No. 9425
4-3-17 92/31/4/3/17 4-3-17

May kindly have perusal of the placed below copy of writ petition and order dated 02.03.2017 passed by the Hon'ble Division Bench in Civil Misc. Writ Petition No. 9348 of 2017 Dr. Anil Kumar Singh-II and others Vs. State of U.P. & others, whereby the Hon'ble Court has been pleased to direct the learned Counsel for the High Court, Allahabad, Ms. Bushra Maryam to obtain instructions within 3 days. The matter has been directed to put up in the additional cause list on 09.03.2017.

The petitioners are Judicial Officers of the State of Uttar Pradesh and they are posted in different Judgeships, who have filed the instant writ petition and prayed the Hon'ble Court to direct the respondent No. 1 & 2 to provide three advance increments to the petitioners, in Senior Division Cadre and on their subsequent promotion on the basis of LL.M. Degree.

(A)

May if approved, the Registrar (Judicial) (Budget) be requested to direct the officer concerned to provide instructions/narrative alongwith supporting materials in reply to the writ petition, positively by 07.03.2017, so that the same may be sent to the learned Special Counsel for the High Court, Allahabad, for the placing the same before the Hon'ble Court on 09.03.2017?

Deputy Registrar (Litigation)
03.03.2017

Recd 03/03/2017
3/3/17

Approved AT A
03/03/2017

URGENT

DR(m)

Regd 03/03/17

U R BORD
Sd Am (DI)

S. O. (Admin A)
ms 04/3/17
AR.
Recd 07/3/17
ms 04/3/17
AR.
Ms. Pradip. Sarita

Court No. - 37

Request 95

Case :- WRIT - A No. - 9348 of 2017

Petitioner :- Dr. Anil Kumar Singh-Ii And 12 Others

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Mohd. Afzal, Manu Khare

Counsel for Respondent :- C.S.C., Manish Goyal

Hon'ble Vikram Nath, J.

Hon'ble Daya Shankar Tripathi, J.

Ms. Bushra Mariyam, learned counsel for respondent No.3 may obtain instructions within three days.

Put up this case in the additional cause list on 09.03.2017.

Order Date :- 2.3.2017

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Advance increment
LLM

94-25(2)
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Request-95

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD
INDEX

IN
CIVIL MISC. WRIT PETITION NO. _____ OF 2017
(Under Article 226 of the Constitution of India)

DISTRICT: ALLAHABAD

^{Kumar}
Dr. Anil Singh-II and others.....Petitioners.

Versus

State of U.P. and othersRespondents.

Sl	Particulars	Dates	Anx.	PageNos.
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Received Copy
25/2/2018
Bachcha Mangum
be engaged
28/02/17

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	No.6014/IV-3178/Admin.(A) from the office of respondent no.3 to the petitioner No.2 through his District Judge.			
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Dt/- February 2017

Manu Khare
(MANU KHARE)
ADVOCATE
A.R. No.M/0373

(MOHD. AFZAL)
ADVOCATE
A.R. No. M/0526

COUNSELS FOR THE PETITIONERS
CHAMBER NO. 21
HIGH COURT, ALLAHABAD
MOBILE NO. 9839095102

Request 95

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IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD
DATES & EVENTS

IN
CIVIL MISC. WRIT PETITION NO. _____ OF 2017
(Under Article 226 of the Constitution of India)

DISTRICT: ALLAHABAD

^{Kumar} Dr. Anil Singh-II and others.....Petitioners.

Versus

State of U.P. and othersRespondents.

Sl. No.	Dates	Events
1-	2003	Petitioners belong to 2003 batch and are the member of the Uttar Pradesh Judicial Services since 2006. Before before joining Uttar Pradesh Judicial Services, they had obtained LLM. Degree from the various recognized Universities. The Petitioner No.1 got degree in LLM in the year 2003, Petitioner No.2 in the year 2003, the Petitioner No.3 in the year 2003, the Petitioner No.4 in the year 2001, the Petitioner No.5 in the year 2002, the Petitioner No.6 in the year 1999, the Petitioner No.7 the year 1997, the Petitioner No.8 in the year 2004, the Petitioner No.9 in the year 2002, the Petitioner No.10 in the year 2003, the Petitioner No.11 in the year 2001 and the Petitioner No.12 in the year 2001 and the Petitioner no. 13 in the year 2007.
2-		Petitioner No. 2, 3 and 4 to avail the benefit of these three advance increments applied to the Director Treasuries U.P. and the treasury in turn got a pay fixation done for service of Class II (Civil Judge Junior Division Cadre). After due pay fixation the petitioner Nos. 2, 3

		and 4 received the arrears of salary against his junior Division service i.e. from 15.06.2006 to 15.12.2009. The other petitioners were also received three advance increments upto Junior Division Cadre. But after the promotion of the petitioners in Senior Division Cadre the three advance increments on the basis of LL.M Degree have been stopped by the respondent No.1 and 2.
3-	30.05.2011	In the case of The Punjab and Haryana High Court Versus Priya Sood and others, the Hon'ble Punjab and Haryana High Court in its judgement in L.P.A. No.970 of 2011, observed that "we have heard learned counsel for the appellant at a considerable length and we are of the view that the opinion expressed by the learned Single Judge is unexceptionable and deserved to be sustained in law. In our view, the learned Single Judge has rightly concluded that the words 'advance increment' have been interchangeably used by "Shetty Commission" with the words 'additional increment'. Moreover, educational qualifications are always the basis for grant of higher pay scale,
4-	08.09.2014	Petitioner No. 2 again requested to the respondent No. 2 to extend the benefits of these three advance increments of the service to Senior Division Cadre from 15.12.2009,
5-	22.09.2014	Petitioner No.3 has also moved the

		representations regarding the payment of three advance increments based on LLM Degree before respondent No. 2 through his District Judge.
6-	07.10.2014	Respondent No.2 virtually refused to extend the benefit of advance increments to the petitioner in Senior Division Cadre on flimsy grounds vide letter No. K-119.
7-	07.10.2014	Respondent No.2 virtually did not grant three advance increments and it is stated that there is no change in the salary slip.
8-	12.12.2014 and 07.03.2015	Petitioner No.4 through his District Judge also submitted representations to respondent No.2 for three advance increments. But till today no heed has been paid to the representation of the petitioner No. 4 by the respondent no.2.
9-	15.01.2015	Respondent No.2 vide letter informed to the petitioner No. 4 there is no changes in the salary slip of the petitioner.
10-	09.03.2015	Petitioner No.2 again moved a representation through his District Judge, for advance increments in Senior Division Cadre,
11-	22.04.2015	Respondent No.3 sent a proposal to the respondent No.1 and 2 for implementing the grant of three advance increments on the basis of LL.M. Degree in subsequent promotional post. This fact is reflected from the communication letter dated of the office of respondent No.3.
12-	10.03.2016	Petitioner No. 3 again wrote a letter through

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	his District Judge to respondent No.2 for issue the receipt of salary of three advance increments. Petitioners have not been given benefit of three advance increments by the respondents no.2 and 3.
HENCE THE PRESENT WRIT PETITION.	

Dt/- February.2017

Manu Khare
(MANU KHARE)
ADVOCATE
A.R. No.M/0373

(MOHD. AFZAL)
ADVOCATE
A.R. No. M/0526

COUNSELS FOR THE PETITIONERS
CHAMBER NO. 160
HIGH COURT, ALLAHABAD
MOBILE NO. 9839095102

Request-95

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IN THE HIGH COURT OF JUDICATURE AT ALLHABAD
CIVIL MISC. STAY APPLICATION NO. _____ OF 2017
(Under Chapter XXII Rule-1 of High Court Rules)

IN

On behalf of -----Petitioners
CIVIL MISC. WRIT PETITION NO. _____ OF 2017.
(Under Article 226 of Constitution of India)

DISTRICT: ALLAHABAD

1. Dr. Anil ^{Kumar} Singh-II, son of Sri N.P. Singh, learned Additional Chief Judicial Magistrate, Allahabad, District Allahabad.
2. Dr. Keshav Goyal son of Sri Jagdish Prasad Goyal, Additional Session Judge/Fast Track Court, Jhansi, District Jhansi.
3. Vikas Kumar Nagar son of late Sri Sohan Lal Nagar, Chief Judicial Magistrate, resident of J-14 New Judges Colony, Civil Lines, District Pilibhit.
4. Mahesh Chandra Verma son of Ram Shankar, Civil Judge (Senior Division) Ambedkar Nagar, District Ambedkar Nagar.
5. Dr. Humayun Rashid Khan son of Sri Rashid Ahmad Khan, Additional Session Judge/Fast Track Court, Kaushambi, resident of B-7, Officers Hostel, Manjhanpur, Kaushambi, District Kaushambi.
6. Mrs. Shabistan Aquil wife of Sri Shadab Ali, Chief Metropolitan Magistrate, Kanpur Nagar, District Kanpur Nagar.
7. Vikas Gupta son of Sri Ram Charan Gupta, Judges Small Causes Court, Kanpur Nagar, District Kanpur Nagar.
8. Mrs. Pallavi Agarwal Daughter of Sri Giriraj Shankar Agarwal, Additional Session Judge/Fast Track Court, Lucknow, District Lucknow.

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9. Mrs. Anamika Chauhan wife of Dr. Deena Nath, Additional Session Judge, Fast Track Court, Lakhimpur Khiri, District Lakhimpur Khiri.
10. Dr. Deena Nath-III son of Mr. Shiv Charan, Chief Judicial Magistrate, Lakhimpur Khiri, District Lakhimpur Khiri.
11. Dr. Satyavan Singh-III son of Sri Virendra Singh, Civil Judge (Senior Division) Bhadohi at Gyanpur, District Bhadohi.
12. Praveen Kumar Pandey son of Sri Banke Bihari Pandey, Additional Chief Judicial Magistrate, Bhadohi, District Bhadohi.
13. Lal Babu Yadav Son of Sri R.S.Yadav, Learned Additional Chief Judicial Magistrate/Civil Judge Senior Division, Mohamamdi, Lakhimpur, District Lakhimpur.....Petitioners

Versus

1. State of U.P. through Principal Secretary, Finance, U.P. Government, Lucknow.
2. Additional Director, (Treasuries) Camp Office, New Treasury Building, Kutchahari Road, Allahabad.
3. High Court of Judicature at Allahabad, through its Registrar General.-----Respondents

To,

The Hon'ble Chief Justice and his other Companion Judges of the aforesaid Court.

The humble application of the abovenamed applicants/Petitioner most respectfully showeth as under:

1. That the full facts, reasons and circumstances have been disclosed in the accompanying writ petition which forms part of this application.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court may kindly be pleased to issue ad

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interim mandamus directing the respondents No.1 and 2 to provide three advance increments to the petitioners on the basis of LL.M. Degree, in Senior Division Cadre and on their subsequent promotion, Otherwise Petitioners shall suffer irreparable loss and injury.

And/ or pass such other further order which this Hon'ble Court may deem fit and proper, otherwise the Petitioners shall suffer irreparable loss and injury

Dt/- February -2017

Manu Khare
(MANU KHARE)
ADVOCATE
A.R. No.M/0373/12

(MOHD. AFZAL)
ADVOCATE
A.R. No. M/0526

COUNSELS FOR THE PETITIONERS
CHAMBER NO. 21
HIGH COURT, ALLAHABAD
MOBILE NO. 9839095102

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

CIVIL MISC. WRIT PETITION NO. _____ OF 2017

(Under Article 226 of the Constitution of India)

DISTRICT: ALLAHABAD

1. Dr. Anil^{Kumar} Singh-II, son of Sri N.P. Singh, Learned Additional Chief Judicial Magistrate, Allahabad, District Allahabad.
2. Dr. Keshav Goyal son of Sri Jagdish Prasad Goyal, Additional Session Judge/Fast Track Court, Jhansi, District Jhansi.
3. Vikas Kumar Nagar son of late Sri Sohan Lal Nagar, Chief Judicial Magistrate, resident of J-14 New Judges Colony, Civil Lines, District Pilibhit.
4. Mahesh Chandra Verma son of Ram Shankar, Civil Judge (Senior Division) Ambedkar Nagar, District Ambedkar Nagar.
5. Dr. Humayun Rashid Khan son of Sri Rashid Ahmad Khan, Additional Session Judge/Fast Track Court, Kaushambi, resident of B-7, Officers Hostel, Manjhanpur, Kaushambi, District Kaushambi.
6. Mrs. Shabistan Aquil wife of Sri Shadab Ali, Chief Metropolitan Magistrate, Kanpur Nagar, District Kanpur Nagar.
7. Vikas Gupta son of Sri Ram Charan Gupta, Judges Small Causes Court, Kanpur Nagar, District Kanpur Nagar.
8. Mrs. Pallavi Agarwal Daughter of Sri Giriraj Shankar Agarwal, Additional Session Judge/Fast Track Court, Lucknow, District Lucknow.
9. Mrs. Anamika Chauhan wife of Dr. Deena Nath, Additional Session Judge, Fast Track Court, Lakhimpur Khiri, District Lakhimpur Khiri.
10. Dr. Deena Nath-III son of Mr. Shiv Charan, Chief Judicial Magistrate, Lakhimpur Khiri, District Lakhimpur Khiri.

11. Dr. Satyavan Singh-III son of Sri Virendra Singh, Civil Judge (Senior Division) Bhadohi at Gyanpur, District Bhadohi.
12. Praveen Kumar Pandey son of Sri Banke Bihari Pandey, Additional Chief Judicial Magistrate, Bhadohi, District Bhadohi
13. Lal Babu Yadav Son of Sri R.S.Yadav, Learned Additional Chief Judicial Magistrate/Civil Judge Senior Division, Mohamamdi, Lakhimpur, District Lakhimpur.....Petitioners

Versus

1. State of U.P. through Principal Secretary, Finance, U.P. Government, Lucknow.
2. Additional Director, (Treasuries) Camp Office, New Treasury Building, Kutchahari Road, Allahabad.
3. High Court of Judicature at Allahabad, through its Registrar General.-----Respondents

The Hon'ble the Chief Justice and his other Companion Judges of the aforesaid Court.

The humble writ petition of the petitioners named above most respectfully showeth as under:

1. That this is the first writ petition being filed by the Petitioners before this Hon'ble Court for the present cause of action.
2. That the Petitioners have not been received any Caveat application till today.
3. That the Petitioners belong to 2003 batch and are the member of the Uttar Pradesh Judicial Services since 2006. Before before joining Uttar Pradesh Judicial Services, they had obtained LLM. Degree from the various recognized Universities. The Petitioner No.1 got degree in LLM in the year 2003, Petitioner No.2 in the year 2003, the Petitioner No.3 in the year 2003, the Petitioner No.4 in the year 2001, the Petitioner No.5 in the year 2002, the Petitioner No.6 in the year 1999, the Petitioner No.7 the

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year 1997, the Petitioner No.8 in the year 2004, the Petitioner No.9 in the year 2002, the Petitioner No.10 in the year 2003, the Petitioner No.11 in the year 2001 and the Petitioner No.12 in the year 2001 and the Petitioner no. 13 in the year 2007. The true copies of LL.M Degrees of the Petitioners are being filed herewith and marked as **Annexure No.1** to this writ petition.

4. That in view of the recommendation made by First National Judicial Pay Commission, popularly known as "Shetty Commission" and the order of Hon'ble Supreme Court in **All India Judges Association Versus Union of India and others 2002 (4) SCC 247**, there upon the Hon'ble High Court has sanctioned three advance increments to the Judicial Officers, having Post Graduate Degree in Law (LL.M). The petitioners were granted three advance increments upto the Junior Division Cadre, but the respondent No. 1 and 2 stopped the three advance increments to the petitioners when they got promotion in Civil Judge (Senior Division) Cadre.
5. That the Petitioner No.2 in order to avail the benefit of these three advance increments applied to the Director Treasuries U.P. and the treasury department in turn got a pay fixation done for applicant's service of Class II (Civil Judge Junior Division Cadre). After due pay fixation, the petitioner No.2 had received the arrears of salary against his junior Division service i.e. from 15.06.2006 to 15.12.2009.
6. That vide letter No. 240/VII dated 08.09.2014 the Petitioner No. 2 again requested to the respondent No. 2 to extend the benefits of these three advance increments of the service to Senior Division Cadre from 15.12.2009, but respondent No.2 refused to extend the benefit of advance increments to the petitioner in Senior Division Cadre on flimsy grounds vide letter No. K-119 dated 07.10.2014. The petitioner No.2 again moved a representation on 09.03.2015 through his District Judge,

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for advance increments in Senior Division Cadre, but the respondent No.2 on 07.10.2014 virtually did not grant three advance increments and it is stated that there is no change in the salary slip. The true copies of the representations of the petitioners through his District Judge dated 08.09.2014 and 09.03.2015 as well as reply of respondent No.2 dated 07.10.2014 vide letter No. K119 are being filed herewith and marked as Annexure No.2 to this writ petition.

7. That the Petitioner No.3 has also moved the representations regarding the payment of three advance increments based on LLM Degree before respondent No. 3 through his District Judge on 22.09.2014. The petitioner No. 3 again wrote a letter through his District Judge to respondent No.2 on 10.03.2016 for issue the receipt of salary of three advance increments. The true copies of representations dated 22.09.2014 and 10.03.2016 of the petitioner No.3 are being filed herewith and marked as Annexure No. 3 to this writ petition.
8. That the Petitioner No.4 through his District Judge also submitted representations to respondent No.2 on 12.12.2014 and 07.03.2015 for three advance increments. But till today no heed has been paid to the representation of the petitioner No. 4 by the respondent no.2. The respondent No.2 vide letter dated 15.01.2015 informed to the Petitioner No. 4 there is no changes in the salary slip of the Petitioner. The true copies of the representations of the petitioner No. 4 dated 12.12.2014 and 07.03.2015 alongwith the reply of respondent No.2 15.01.2015 are being filed herewith and marked as Annexure No.4 to this writ petition.
9. That it is relevant to mention here that the proposal has been sent by the respondent No.3 to the respondent No.1 and 2 for implementing the grant of three advance increments on the basis of LL.M. Degree in subsequent promotional post. This fact is reflected from the

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communication letter dated 22.04.2015 of the office of respondent No.3. But the respondents No.1 and 2 till today has not taken any decision into the matter. A true copy of the communication letter No.6014/IV-3178/Admin.(A) from the office of respondent no.3 dated 22.04.2015 to the petitioner No.2 through his District Judge is being filed herewith and marked as Annexure No.5 to this writ petition.

10. That it is relevant to mention here that all Petitioners were granted three advance increments upto the Cadre of Civil Judge (Junior Division) on the basis of LL.M Degree, but the petitioners have not been given the benefits of three advance increments by the respondent No.2. The respondent No.2 is illegally not paying three advance increments to the Senior Division Cadre.
11. That the Petitioners are entitled for the benefits of these advance increments in the Senior Division and on subsequent promotion. The "**Shetty Commission Report**" has also been followed by the Delhi Judiciary in the payment of advance increments on the basis of LL.M Degree. Page No. 590 of Volume-2, Para 8.48 provides that "if selected candidates are having a higher qualification like post graduation in law, we recommended that three advance increments be given as it is allowed by the Delhi Administration. It is an acknowledged fact that post graduation in law is a difficult course and it is better to reward appropriately such candidates." It is clear that the benefits of the advance increments has not been denied to the Senior Division Cadre; rather this benefit has been extended to the Senior Division Cadre also after due pay fixation.
12. That the similar controversy has also arisen in the State Haryana, where Hon'ble High Court of Punjab and Haryana in the case of **Virendra Prasad and others Versus State of Haryana and others C.W.P. No.15883 of 2011 (O-IM)**-Division Bench observed "The additional

increments shall continue to be drawn by the Judicial Officers on their further promotion and/or placement in Higher Pay Scale as the case may be."

13. That in another case **The Punjab and Haryana High Court Versus Priya Sood and others in the judgement dated 30.05.2011** in L.P.A. No.970 of 2011, the Hon'ble High Court observed that "we have heard learned counsel for the appellant at a considerable length and we are of the view that the opinion expressed by the learned Single Judge is un-exceptionable and deserved to be sustained in law. In our view, the learned Single Judge has rightly concluded that the words 'advance increment' have been interchangeably used by "Shetty Commission" with the words 'additional increment'. Moreover, educational qualifications are always the basis for grant of higher pay scale, as has been held by Hon'ble Supreme Court in the cases of State of Mysore Vs. P. Narainga Rao, AIR 1968 SC 349; V. Markendeya Vs. State of Andhra Pradesh (1989) 3 SCC 191; State of Rajasthan Vs. Gopi Kishan Sen, 1993, 1993 Supp. (1) SCC 522; Shyam Babu Verma Vs. Union of India (1994) 2 SCC 521; Rajasthan State Electricity Board Accountants Association, Jaipur Vs. Rajasthan State Electricity Board (1997) 3 SCC 103; Government of West Bengal Vs. Tarun K. Roy, (2004) 1SCC 347; M.P. Rural Agriculture Extension Officers Association Vs. State of M.P. (2004) 4 SCC 646; and U.P. State Sugar Corporation Ltd. Vs. Sant Raj Singh, (2006) 9 SCC 82.

4. In the present case the degree of Masters of Laws would certainly bring efficiency in discharging duties by a Judicial Officer in comparison to those who do not possess such a degree. There is no real benefit of advancing advance increments if in the due course of time the writ petitioner-respondent No.1 is to become equal to those who do not have additional higher qualification. Such an interpretation adopted by the appellant would not advance

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the basic object of the recommendation made by the Shetty Pay Commission. Therefore, we are of the view that the instant appeal does not merit admission and the view taken by the learned Single Judge deserves to be upheld.

5. As a sequel to the above discussion, this appeal fails and the same is accordingly dismissed."

14. That the aforesaid order dated 30.05.2011 of Haryana High Court was challenged before the Hon'ble Apex Court. The Hon'ble Supreme Court was pleased to dismissed the Special Leave to Appeal (Civil No. 26260 of 2011) on 11.10.2011. A true copy of the order of Supreme Court dated 11.10.2011 passed in Special Leave to Appeal (Civil No. 26260 of 2011) is being filed herewith and marked as **Annexure No. 6** to this writ petition.
15. That it is pertinent to mention here that the increments in question are the advance increments i.e. the same are not dependant on the contingency, performance or any future event, rather the benefit of these increments is supposed to be given in advance, in recognition of LL.M. degree, whenever a pay-fixation takes place either due to promotion or pay revision or for any other reason. Accordingly the pay fixation in Senior Division, without adding these advance increments is apparently erroneous and illegal.
16. That after the recommendation of "**Shetty Commission**" and the direction of Hon'ble Supreme Court, thereupon order dated 21.03.2012 the uniform pay structures have been adopted by all the States for Judicial Officers. The LL.M degree holder, Judicial Officers of U.P. cannot be deprived of the advance increments unlike in States of Delhi, Haryana and others States.
17. That it is relevant to mention here that the petitioners joined in Civil Judge Senior Division Cadre in 2009 whereafter six year period has already passed, without getting any benefit of advance increments. The unprecedented delay in causing a substantial financial

loss to the petitioners not only in the form of interest but also in the form of depreciation of money. Deserves attention of this Honble court.

18. That having no other efficacious, effective and alternative remedy the petitioners have invoked the extraordinary jurisdiction of this Hon'ble Court as enshrined under Article 226 of the Constitution Of India, inter-alia on the following grounds:-

GROUND

- A. Because in view of the recommendation made by First National Judicial Pay Commission, popularly known as "Shetty Commission" and the order of Hon'ble Supreme Court in **All India Judges Association Versus Union of India and others 2002 (4) SCC 247**, there upon the Hon'ble High Court has sanctioned three advance increments to the Judicial Officers, having Post Graduate Degree in Law (LL.M), and the were granted to the Petitioners initially but stopped when the got promoted to Civil Judge (Senior Division) cadre.
- B. Because all the Petitioners were granted three advance increments upto the Cadre of Civil Judge (Junior Division) on the basis of LL.M Degree, but the petitioners have not been given the benefits of three advance increments by the respondent No.2. The respondent No.2 is not paying the three advance increments to the Senior Division Cadre illegally.
- C. Because the Petitioners are entitled for the benefits of these advance increments to the Senior Division and on subsequent promotion. The "**Shetty Commission Report**" has also been followed by the Delhi Judiciary in the

payment of advance increments on the basis of LL.M Degree. Page No. 590 of Volume-2, Para 8.48 provides that "if selected candidates are having a higher qualification like post graduation in law, we recommended that three advance increments be given as it is allowed by the Delhi Administration. It is an acknowledged fact that post graduation in law is a difficult course and it is better to reward appropriately such candidates." It is clear that the benefits of the advance increments has not been denied to the Senior Division Cadre, rather this benefit has been extended to the Senior Division Cadre also after due pay fixation.

- D. Because the similar controversy has also arisen in State of Haryana, where Hon'ble High Court of Punjab and Haryana in the case of **Virendra Prasad and others Versus State of Haryana and others C.W.P. No.15883 of 2011 (O-IM)**-Division Bench as observed "The additional increments shall continue to be drawn by the Judicial Officers on their further promotion and/or placement in Higher Pay Scale as the case may be."
- E. Because it is pertinent to mention here that the increments in question are the advance increments i.e. the same are not dependant on the contingency, performance or any future event, rather the benefit of these increments is supposed to be given in advance, in recognition of LL.M. degree, whenever a pay-fixation takes place either due to promotion or pay revision or for any other reason. Accordingly the pay fixation in Senior Division, without adding these advance increments is apparently erroneous and illegal.

K

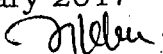
F. Because The Punjab and Haryana High Court Versus Priya Sood and others in the judgement dated 30.05.2011 in L.P.A. No.970 of 2011. The Punjab and Haryana High Court at Chandigarh observed "we have heard learned counsel for the appellant at a considerable length and we are of the view that the opinion expressed by the learned Single Judge is un-exceptionable and deserved to be sustained in law. In our view, the learned Single Judge has rightly concluded that the words 'advance increment' have been interchangeably used by Shetty Commission with the words 'additional increment'. Moreover, educational qualifications are always the basis for grant of higher pay scale.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to:

- i. Issue a writ, order or direction in the nature of mandamus directing the respondent No.1 and 2 to provide three advance increments to the Petitioners, in Senior Division Cadre and on their subsequent promotion on the basis of LL.M. Degree.
- ii. Issue any other writ order or direction, which this Hon'ble Court may deem fit and proper under the facts and circumstances of the present case.
- iii. Award the cost of writ petition.

Dt/- February 2017



(MANU KHARE)
ADVOCATE

A R. No.M/0373/12

(MOHD. AFZAL)
ADVOCATE

A.R. No. M/0526

COUNSELS FOR THE PETITIONERS



Request-95

18

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD
ANNEXURE NO. 1

IN
CIVIL MISC. WRIT PETITION NO: OF 2017
(Under Article 226 of Constitution of India)

DISTRICT: ALLAHABAD

Dr. Anil Singh-II and others.....Petitioners.
Versus

State of U.P. and othersRespondents.
@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@

h

LM/94/No 000093

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

مَالِئَةُ



عِلْمِ الْإِنْسَانِ

Master of Laws

This is to certify

that Anil Kumar Singh
Roll No. 01 LLM-022; Enrolment No. DD-5827
has been awarded the degree of Master
of Laws of this University in the
Examination of 192004 and that he/she
was placed in the Second Division.

ALIGARH MUSLIM UNIVERSITY
ALIGARH (INDIA)
020315

Date of issue _____


Vice-Chancellor

K

Request 95

20

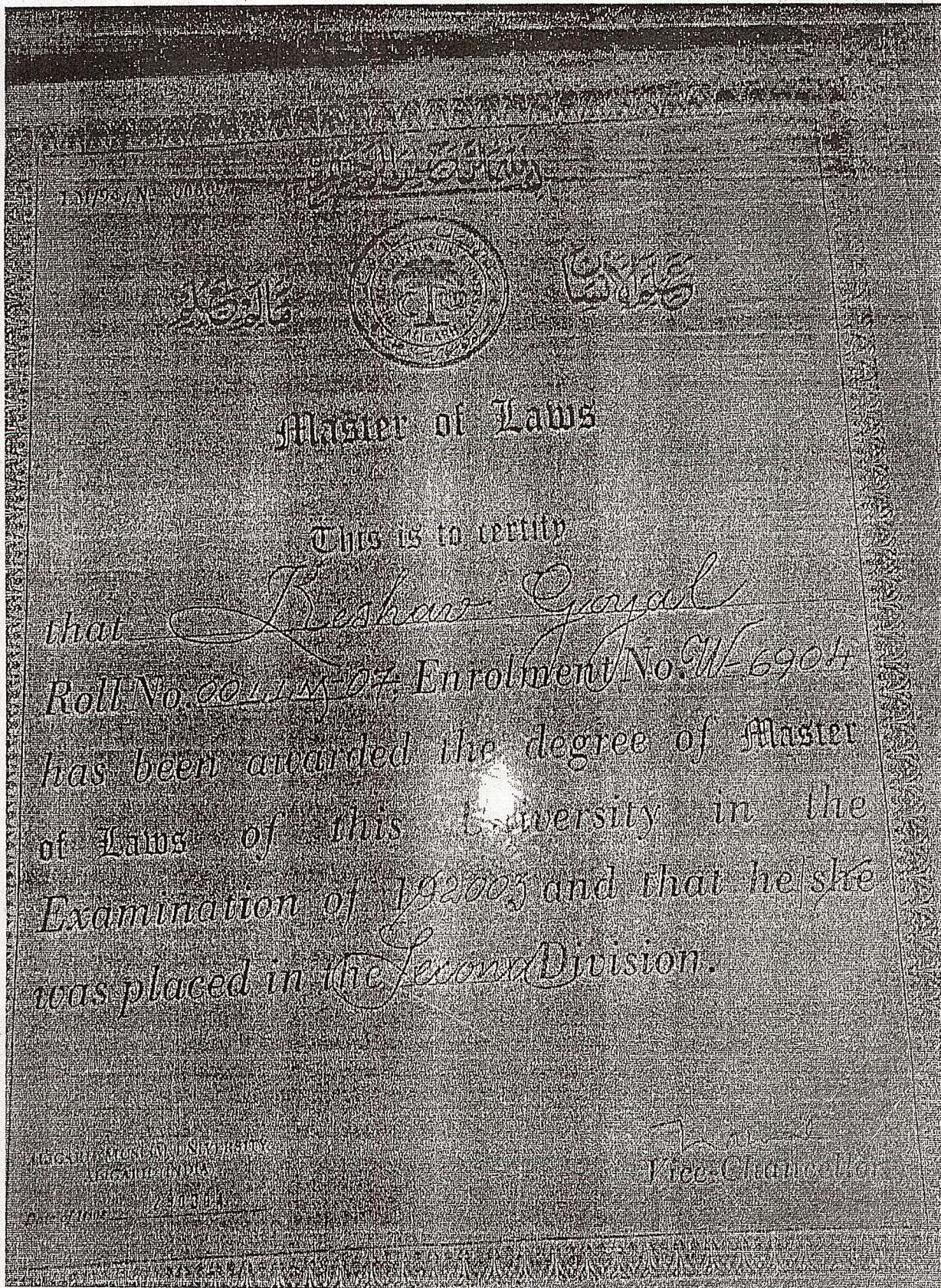
LM/94/No.000077

MASTER OF LAW

This is to certify that Keshaw Goyal Roll No. 00 LLM-07 Enrolment No. W-6904 has been awarded the degree of Master of Laws of this University in the Examination of 2003 and that he was placed in the Second Division.

Sd/- Illegible
Vice Chancellor

Aligarh Muslim University
Aligarh (India)
Date of issue 29.03.2004



देवी अहिल्या विश्वविद्यालय, इन्दौर

मास्टर ऑफ लॉज

(MASTER OF LAWS)

प्रमाणित किया जाता है कि विकास नागर ने इस विश्वविद्यालय से मार्च 2003 की परीक्षा में मास्टर ऑफ लॉज की उपाधि प्रथम श्रेणी में प्राप्त की।

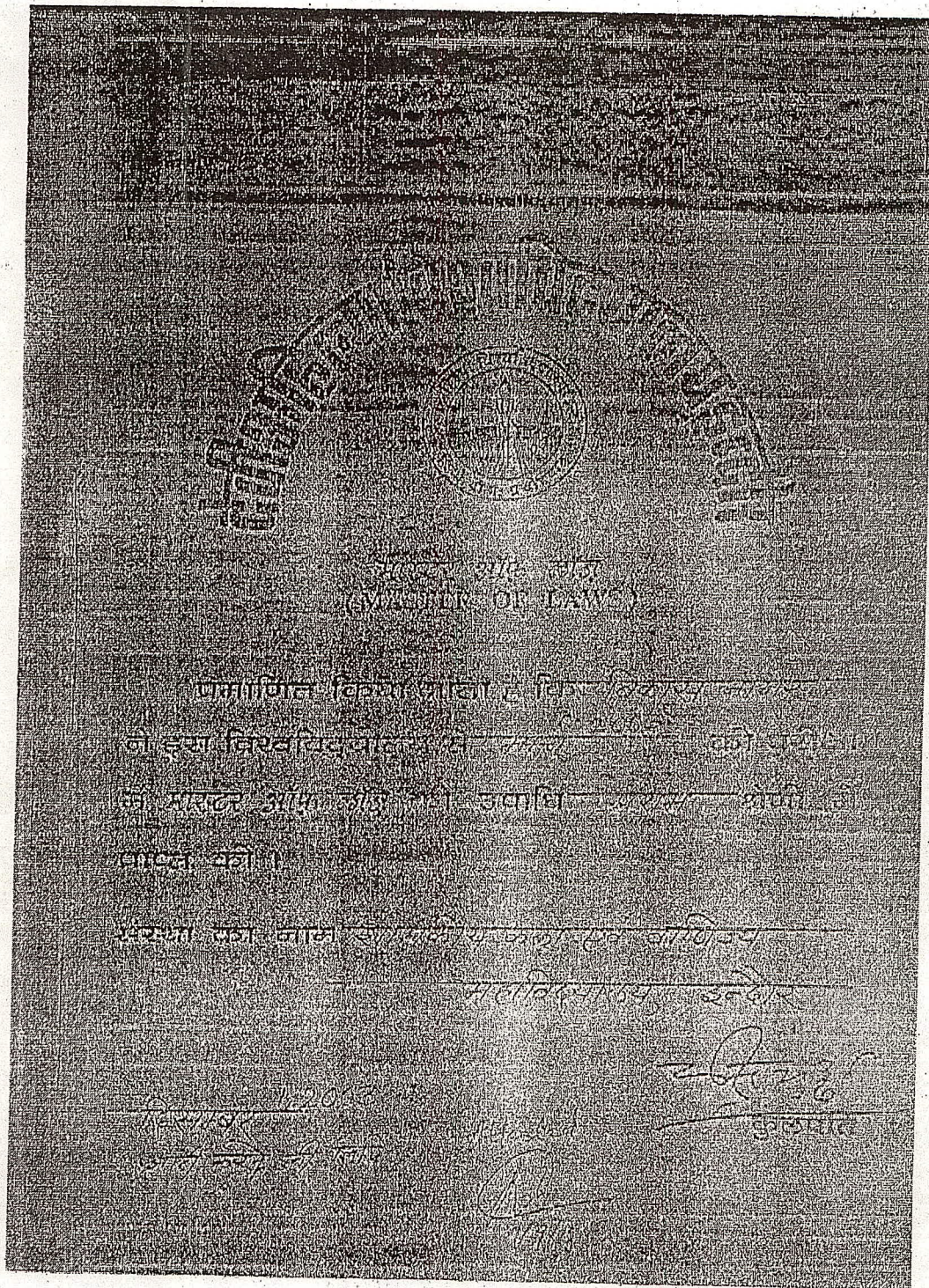
संस्था का नाम शासकीय कला एवं वाणिज्य महाविद्यालय, इन्दौर

दिसम्बर 1, 2003

जारी करने की तिथि

ह0-अस्पष्ट

कुलपति



Request-95

24

UNIVERSITY OF ALLAHABAD

Master of Laws

Enrollment No. 99AU/144

Roll No.302

This is certify that Mahesh Chandra Verma son of Sri Ram Shankar obtained the degree of Master of Laws in this University in the Examination of 2001 and that he was placed in the Second.

University of Allahabad

The 26th May 2003

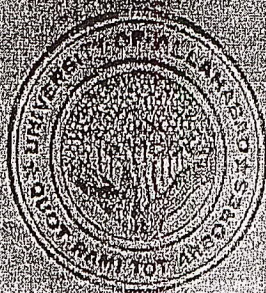
The 5th Feb. 2005

Sd/- Illegible
Vice Chancellor.

Request-95

25

UNIVERSITY OF ALLAHABAD



MASTERS OF LAWS

Enrolment No. 9920/144

Roll No. 303

This is to certify that Mahesh Chandra Verma
Son/Daughter of Sr. Ram Prasad
obtained the degree of Master of Laws in this University
in the Examination of 1973 and that he/she was placed
in the Second

University of Allahabad
The 20th May 1973
9105/144/1403

[Signature]
Vice-Chancellor

Request-95

26

LM/94/No.000065

Master OF Laws

This is to certify that Humayun Rasheed Khan Roll No. 99 No. 10 Enrollment No.26-5710 has been awarded the degree of Master of Laws of this University in the Examination of 2002 and that he was placed in the Second Division.

Sd/- Illegible
Vice Chancellor

Aligarh Muslim University

Aligarh (India)

Date of issue

Request-95

27

LM/94/ No 000065

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

مَالِكِيَّةٌ



عِلْمٌ لِلْإِنْسَانِ

Master of Laws

This is to certify

that Humayun Rashid Khan
Roll No. 9944410 ; Enrolment No. 5710
has been awarded the degree of Master
of Laws of this University in the
Examination of 192002, and that he/she
was placed in the Second Division.

Attested

ALIGARH MUSLIM UNIVERSITY
ALIGARH (INDIA)

Date of issue 2002

Deen
Secretary of Law
Aligarh

Nahmad
Vice-Chancellor

Request-95

28

Enroll No.I-145/97

Roll No. 79006

UNIVERSITY OF DELHI

MASTER OF LAWS 1999

This is to certify that Thabistan Aquil having been examined in 1999 and found qualified for the degree of Master of Laws was admitted to the said degree at the Convocation held in 2000.

Sd/- Illegible

Registrar

University of Delhi
2000

Delhi dated on 16th September

Sd/-

Vice Chancellor
University of Delhi.

Request 95

29

Form No. 100

Roll No. 123456

University of Delhi



FOUNDED IN 1962

This is to certify that Mr. Anil Kumar Aggarwal having been examined in 1980 and found qualified for the degree of Master of Laws was admitted to the said degree at the Convocation held in 2000.



[Signature]
Vice-Chancellor
University of Delhi

[Signature]
Registrar
University of Delhi

[Signature]
Vice-Chancellor
University of Delhi

4

Request-95

30

चौधरी चरण सिंह विश्वविद्यालय, मेरठ

विधि निष्णात
(मास्टर ऑफ लॉज)

प्रमाणित किया जाता है कि विकास गुप्ता ने इस विश्वविद्यालय से सन 1997 की परीक्षा में विधि निष्णात की उपाधि द्वितीय श्रेणी में प्राप्त की।

This is to certify that Vikas Gupta obtained the Degree of MASTER OF LAWS of this University in the Examination of 1997 and that he was placed in Second Division.

Chaudhary Charan Singh University, Meerut

Dated 30.06.1998

Sd/-
Kulpati
Vice Chancellor

Request-95

31

अनुक्रमिक Roll No. 4-55-2008

चौधरी चरण सिंह विश्वविद्यालय, मेरठ



विधि निष्णात (Master of Laws)

प्रमाणित किया जाता है कि विकास गुप्ता ने इस विश्वविद्यालय से सन् १९९६ की परीक्षा में **विधि निष्णात** की उपाधि द्वितीय श्रेणी में प्राप्त की।

This is to certify that Vikas Gupta obtained the Degree of MASTER OF LAWS of this University in the Examination of 1996 and that he/she was placed in Second Division.

CHAUDHARY CHARAN SINGH UNIVERSITY, MEERUT
Date: 26-05-1998

[Signature]
उपाधि
Vice-Chancellor

[Handwritten mark]

Request-95

32

चौधरी चरण सिंह विश्वविद्यालय, मेरठ

विधि निष्णात
(मास्टर ऑफ लॉज)

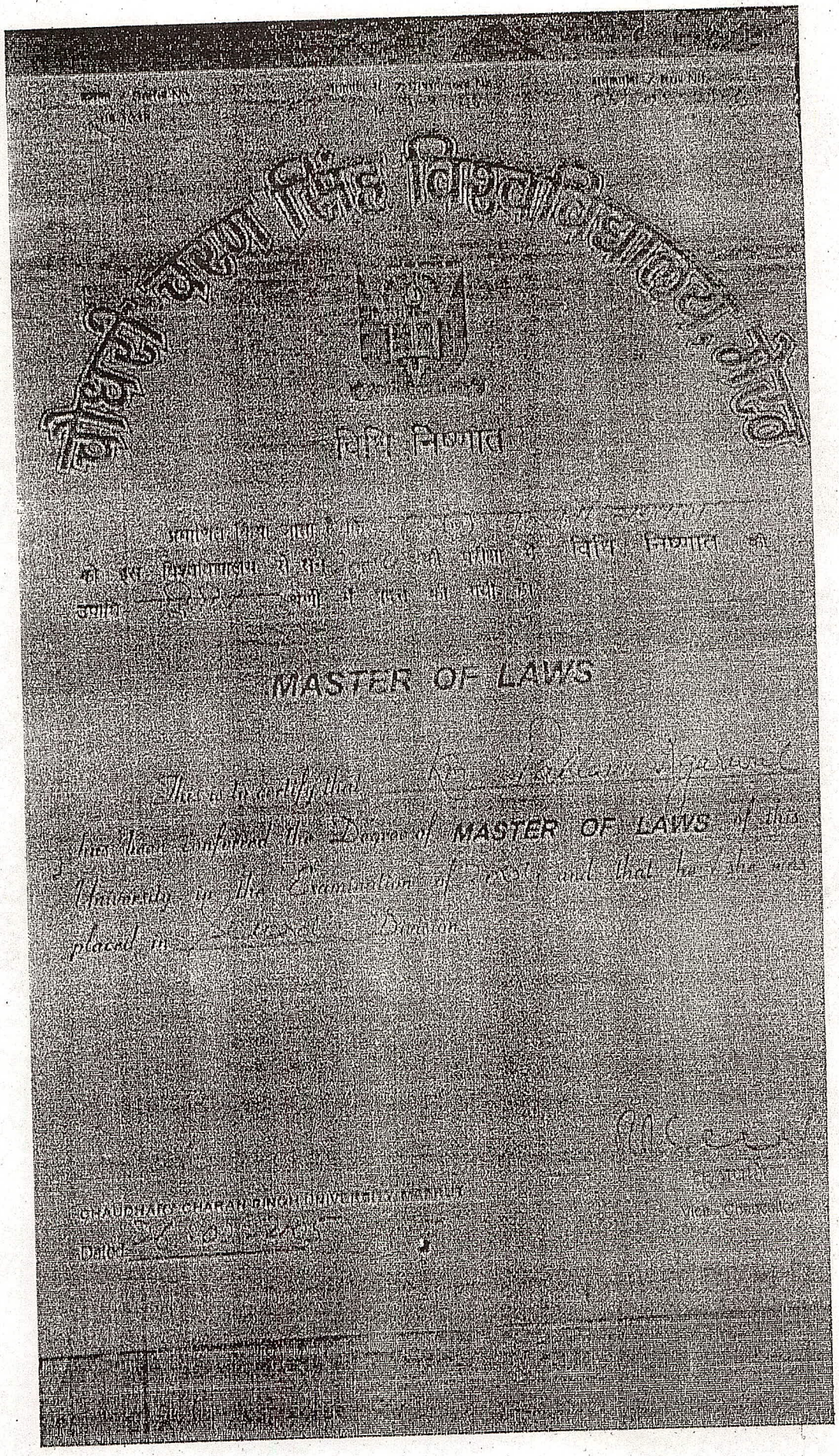
प्रमाणित किया जाता है कि (कु0) पल्लवी अग्रवाल को इस विश्वविद्यालय से सन 2004 की परीक्षा में विधि निष्णात की उपाधि द्वितीय श्रेणी में प्राप्त की।

This is to certify that Km. Pallavi Agarwal has been conferred the Degree of MASTER OF LAWS of this University in the Examination of 2004 and that he was placed in Second Division.

Chaudhary Charan Singh University, Meerut

Dated 26.02.2005

Sd/-
Kulpati
Vice Chancellor



विद्यापीठानाम्
 विद्यापीठानाम्
 विद्यापीठानाम्

MASTER OF LAWS

This is to certify that K. S. Chavan of Ward No. 1, P. O. Chavan, Dist. Solapur has been conferred the Degree of **MASTER OF LAWS** of this University in the Examination of 1958 and that he/she was placed in Second Class Division.

CHAUDHARI CHANDRANATH TRIVEDI, VICE-CHANCELLOR

[Signature]
 VICE-CHANCELLOR

[Handwritten mark]

Request 95

34

DR. B.R. AMBEDKAR UNIVERSITY, AGRA
(Formerly Agra University Agra)

No. 2290

PROVISIONAL CERTIFICATE

This is certify that Anamika Chauhan d/o Maukam Singh Chauhan Roll No. 01 of Agra College Agra passed the LL.M. Examination of 2002 with all illegible Subject as her subject and that she was placed to Ist Division

Her also passed in Illegible

The candidate has done as that necessary illegible LL.M. Examination 2002

Senate House

Agra

Sd/Asstt. Registrar (Exams)

Dr. B.R. A. University Agra.

Request-95

35

DR. B.R. AMBEDKAR UNIVERSITY, AGRA
(Formerly Agra University, Agra)



PROVISIONAL CERTIFICATE

This is to certify that Shri. K. S. Singh (Name of Candidate)
 Son of Shri. K. S. Singh (Name of Father)
 (Roll No. 10110)
 passed the B.A. (Name of Course)
 as his/her subject and that he/she was awarded 1st (Grade)
 class in the examination held on 10/10/2010 (Date)
 at Dr. B.R. Ambedkar University, Agra (Name of University)
 The candidate has obtained 70 (Percentage)
 marks in the examination.

SENTEHOUSE
 AGRA

(Name of Officer) (Designation)
 Director of Examinations
 Dr. B.R. Ambedkar University, Agra

R

Request-95

36

UNIVERSITY OF ALLAHABAD

Master of Laws

Enrollment No. 03Au-725

Roll No.07

This is certify that Dina Nath son of Sri Shiv Charan obtained the degree of Master of Laws in this University in the Examination of 2003 and that he was placed in the Second.

University of Allahabad

The 18th Oct. 2006

The 10th July 2010

Sd/- Illegible
Vice Chancellor.

Request 95

37

UNIVERSITY OF ALLAHABAD



Master of Laws

Enrolment No. 03/12/245

Roll No. 97

This is to certify that one Miss
Soni Daughter of Sri. Sri. Chandra
obtained the degree of Master of Laws in this University in
the Examination of 1946 and that her name was placed in the
Second class.

University of Allahabad
1946-47
1946

Registrar
The Chancellor

K

Request-95

38

UNIVERSITY OF ALLAHABAD

Master of Laws

Enrollment No. 99AU/145

Roll No.308

This is certify that Satyawan Singh son of Sri Virendra Singh obtained the degree of Master of Laws in this University in the Examination of 2001 and that he was placed in the Second.

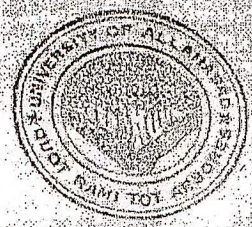
University of Allahabad

The 23rd Dec. 2002

The 23rd Dec. 2004

Sd/- Illegible
Vice Chancellor.

UNIVERSITY OF ALLAHABAD



Master of Laws

Enrollment No. 99A/11/15

Roll No. 50

This is to certify that Sri. [Name]
Son/Daughter of Sri. [Name]
obtained the degree of Master of Laws in this University
in the Examination of 1901; and that he/she was placed
in the second.

University of Allahabad
The 23rd Dec. 1900
The 23rd Dec. 1904

[Signature]
Vice-Chancellor

[Signature]

Request-95

40

UNIVERSITY OF ALLAHABAD

Master of Laws

Enrollment No. 93AU612

Roll No.303

This is certify that Praveen Kumar Pandey son of Sri B.B. Pandey obtained the degree of Master of Laws in this University in the Examination of 2001 and that he was placed in the Second.

University of Allahabad

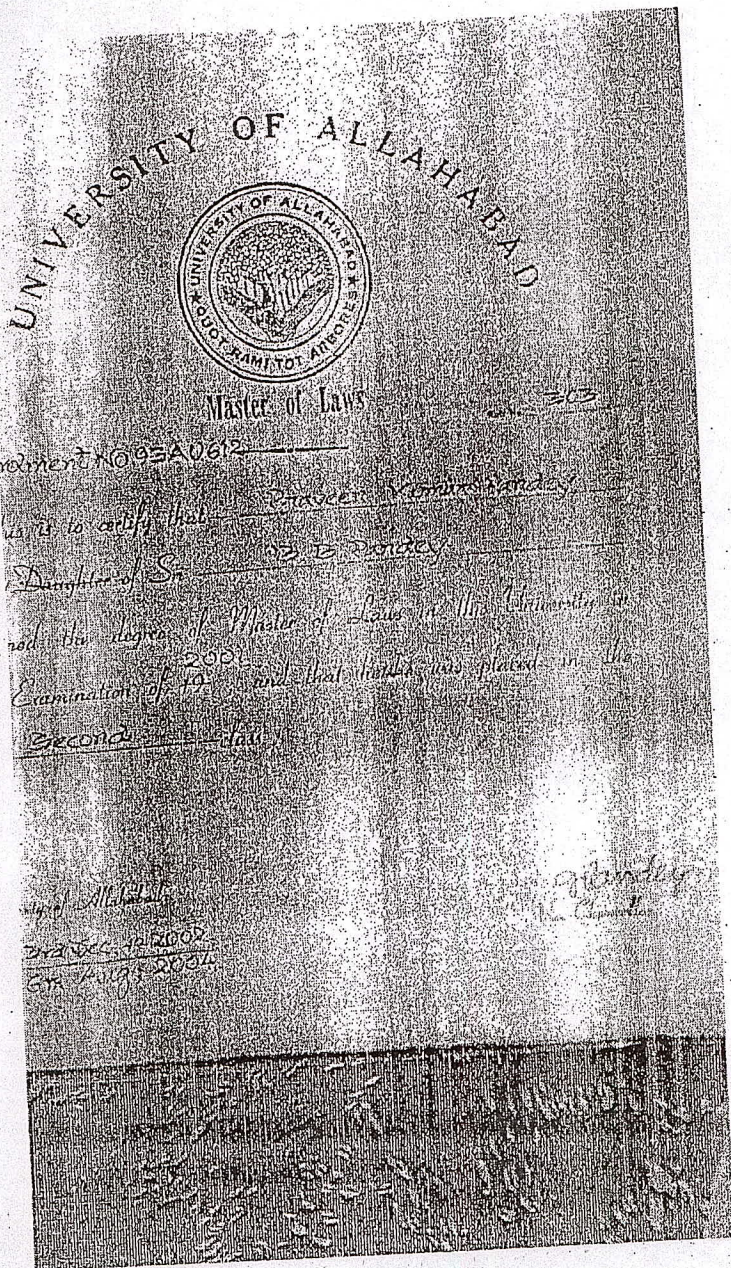
The 3rd Dec. 2002

The 6th Aug. 2004

Sd/- Illegible
Vice Chancellor.

Request-95

41



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Request-95

42

UNIVERSITY OF ALLAHABAD

Master of Laws

Enrollment No. E9320307

Roll No.59

This is certify that Lal Babu Yadav son of Sri R.S Yadav obtained the degree of Master of Laws in this University in the Examination of 2007 and that he was placed in the Second.

University of Allahabad

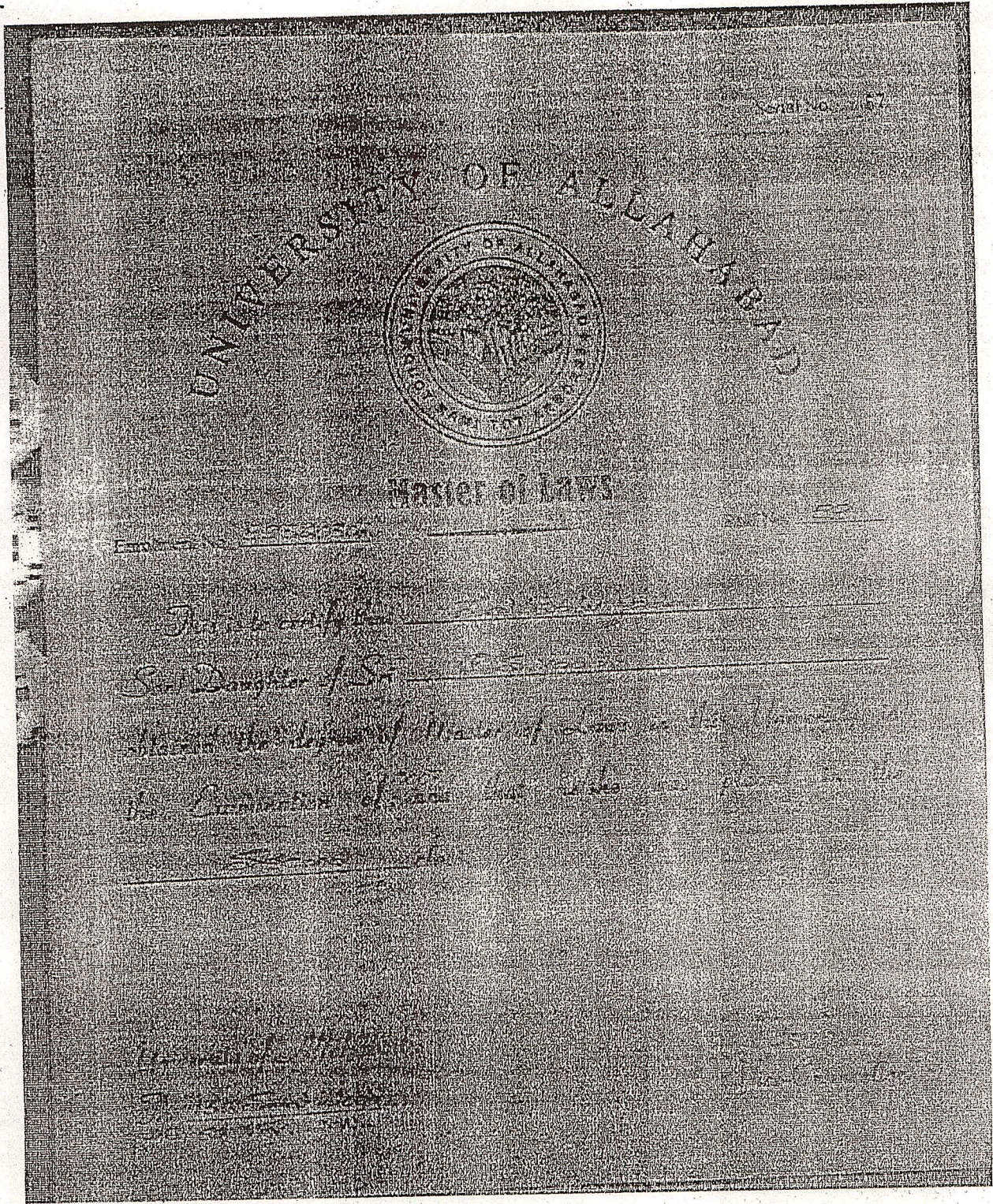
The 13th September 2008

The 5th Nov. 2013

Sd/- Illegible
Vice Chancellor.

Request-95

43



7

Request-95

44

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD
ANNEXURE NO. 2

IN
CIVIL MISC. WRIT PETITION NO. OF 2017
(Under Article 226 of Constitution of India)

DISTRICT: ALLAHABAD

Dr. Anil Singh-II and others.....Petitioners.

Versus

State of U.P. and othersRespondents.

@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@

K

Request 95

Annexure-II

45

प्रेषक:

केशव गोयल
अपर सिविल जज (सीनियर डिवीजन),
कक्ष सं० -6, मेरठ।

सेवा में,

निदेशक,
कोषागार, शिविर कार्यालय,
कोषागार निदेशालय, नवीन कोषागार भवन,
इलाहाबाद (उ०प्र०)

द्वारा:-माननीय जनपद न्यायाधीश महोदय,
मेरठ।

विषय:-एल.एल.एम. डिग्री पर आधारित 3 अग्रिम वेतन वृद्धि हेतु

महोदय,

कृपया अपने पत्रांक संख्या 1602/वे०प०प्र०/न्यायिक/ई०आर०पी०-के.119
दिनांक 01.07.14 (छाया प्रति संलग्न) का सन्दर्भ ग्रहण करने का कष्ट करें
जिसके द्वारा आपने इस जनपद से अधोहस्ताक्षरी के तीन अग्रिम वेतन वृद्धि हेतु वेतन
निर्धारण की अपेक्षा की थी। इस विषय में सूचित करना है कि समूह "ख" के वेतन
निर्धारण की प्रक्रिया पूर्ण करते हुये सेवा पुरस्कार आपको प्रेषित की जा चुकी है
परन्तु अभी तक आहरण हेतु वेतन पर्ची प्राप्त नहीं हुई है।

अतः अनुरोध है कि प्रार्थी अधोहस्ताक्षरी के न्यायिक सेवा सीनियर डिविजन
(समूह "क") के अग्रिम वेतन वृद्धि निर्धारित करते हुये आहरण हेतु वेतन पर्ची जारी
करने की कृपा करें। ताकि प्रकरण में विलम्ब के कारण हो रही आर्थिक क्षति न हो।

मैं आपका आभारी रहूँगा।

सादर!

दिनांक: 08-09-2014

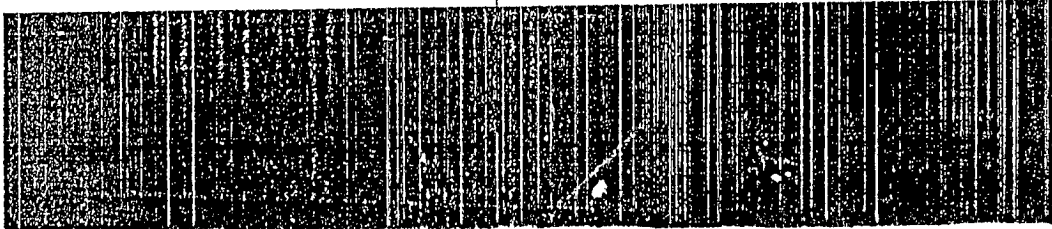
संलग्नक: उपरोक्तानुसार

भवदीय,

(केशव गोयल)

अपर सिविल जज (सी० डि०)
कक्ष सं०-6, मेरठ।

P
7/9/14



R

Request-95

Annexure-111

46

शिविर कार्यालय, कोषागार निदेशालय, उत्तर प्रदेश,
नवीन कोषागार भवन, कचेहरी रोड, इलाहाबाद ।

पत्र संख्या: /वे0प0प्र0/न्यायिक/ई0आर0पी0- K.119

दिनांक: 7/10/14

सेवा में,

श्री इलाहाबाद
उत्तर दिशा में जज (सिविल)
पत्र संख्या 26850

महोदय,

कृपया आप अपने जज्ञपद न्यायाधीश के पत्र संख्या..... 1462 (7-2087)/1
दिनांक..... का सन्दर्भ लेने का कष्ट करें, जो आपकी विधि रत्नातकोत्तर
उपाधि के निर्मित समूह "ख" की सेवा में तीन अग्रिम वेतन वृद्धि के साथ वेतन के
निर्धारण के सम्बन्ध में हैं ।

इस सम्बन्ध में आपको सूचित किया जाता है कि आपके समूह "ख" के
वेतनमान रू0 27700-44770 के अन्तर्गत तीन अग्रिम वेतन वृद्धि के साथ जिला जज
द्वारा वेतन निर्धारित किए जाने और जिला जज के सन्दर्भित पत्र द्वारा प्राप्त निर्धारण
चार्ट के अनुसार दिनांक..... को प्राप्त वेतन रू0..... 32320 के विरुद्ध
समूह "क" की सेवा में दिनांक..... को पदोन्नति सम्प्रति अपर सिविल जज
(सीनियर डिवीजन) के वेतनमान रू0 39530-54010 में अगले प्रकम में वेतन निर्धारण
के प्रति सीनियर डिवीजन के वेतनमान के न्यूनतम पर दिनांक..... को रू0
39530-54010 में अगले प्रकम में वेतन निर्धारण के प्रति सीनियर डिवीजन के
वेतनमान के न्यूनतम पर दिनांक..... को रू0 39530-00 ही वेतन आगणित
होता है ।

अतः पूर्व में निर्गत वेतन पर्ची में कोई परिवर्तन नहीं है ।

भवदीय

अपर निदेशक

26850

पृष्ठांकन संख्या..... / (1) / वे0प0प्र0 / न्यायिक / ई0आर0पी0-

K.119 तददिनांक ।

प्रतिलिपि:-जिला जज..... को सूचनार्थ प्रेषित ।

अपर निदेशक

N

Request-95

47

From,
Keshav Goyal,
Addl. Civil Judge (Sr. Div.)
Court No. 6, Meerut.

To,
The Registrar General
Hon'ble High Court of Judicature,
at Allahabad.

Through :
The District Judge,
Meerut.

Subject: **Representation regarding three advance increments based on LL.M. degree.**

Sir,

Most respectfully the applicant wants to submit that the applicant is a member of U.P. Judicial Service since 15.06.2006, and before joining the Judicial Service, the applicant had obtained the degree of LL.M. from the Aligarh Muslim University, Aligarh.

In view of the recommendations of the first National Judicial Pay Commission (Shetty Commission) and the order of the Hon'ble Supreme Court, thereupon, the Hon'ble High Court Allahabad has sanctioned three advance increments to the applicant, in recognition of the aforesaid LL.M. degree, vide its letter no. /IV/82 (loose)/admin(a) (Annexure 1).

Further to avail the benefit of these three advance increments, the applicant applied to the Director-Treasuries-U.P. and the treasury in turn got a pay fixation done for applicant's service of class II (Civil Judge (Junior Division Cadre)). After due pay fixation, the applicant has received the arrears of salary against his Junior Division service i.e. from 15.06.2006 to 15.12.2009.

Vide letter no. 240/VII dated 08.09.2014 (Annexure 2) the applicant again requested the Director Treasury to extend the benefit of these advance increments to applicant's service of senior division cadre i.e. from 15.12.2009 to till date but unfortunately, the treasury refused to extend the benefit of these advance increments to senior division cadre, on flimsy grounds vide its letter No.K-119 dated 07.10.2014 (Annexure 3).



It is submitted that the applicant is entitled for the benefit of these increments in senior division also. The applicant's submission in support of this claim are as follows:

- That the Delhi Judiciary is a Benchmark in this regard and necessarily the Delhi model of advance LL.M increments is required to be followed by other states because Hon'ble Shetty Commission had observed as follows in its report, at page 590 Vol.- 2, Para 8.48.

"If selected candidates are having a higher qualification like post-graduation in law, we recommend that three advance increments be given *as it is allowed by the Delhi Administration*. It is an acknowledged fact that post-graduation in Law is a difficult course and it is better to reward appropriately such candidates".

Hence it is the Delhi Model, which is the source of these increments and the same should be followed to remove doubts and ambiguities.

- That, looking into Delhi model it is amply clear that the benefit of advance increments has not been denied at senior division, rather this benefit has been extended to senior division also after due pay fixation. A copy of a sample pay-fixation order of an officer of Delhi Judicial Service, named Mr. Dharmendra Rana is enclosed herewith to substantiate the claim. Further a copy of an office order of Delhi State legal Services Authority is also enclosed which indicates that the Judicial Officers in senior division scale have been given the benefit of above advance increments. (Annexure 4 & 5)

- That earlier this controversy had also arisen at Haryana, where Hon'ble High Court of Haryana and Punjab observed as follows in its reported judgment of Virender Prasad and other Vs. State of Haryana and others CWP No.15883 /2011 (O IM)-Div. Bench. (Annexure 6)

" *The additional increments shall continue to be drawn by the judicial officers on their further promotion and /or placement in higher pay scale, as the case may be*".

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Request 95

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It is submitted that the order passed by the Hon'ble High Court of Punjab and Haryana, certainly has a great persuasive value in the matter.

- That the increments in question are "advance increments" i.e. the same are not dependent on any contingency, performance or any future event, rather the benefit of these increments is supposed to be given in advance, in recognition of LL.M degree, whenever a pay - fixation takes place either due to promotion or pay revision or for any other reason. Accordingly the pay-fixation of senior division, without adding these advance increments is apparently erroneous.

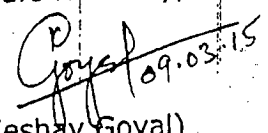
- That after the recommendation of Shetty Commission and the order of Hon'ble Supreme Court, thereupon dated 21.03.2012. The uniform pay structures have been adopted by the states for the judicial officers. The LL.M. Degree holder, judicial officers of U.P. cannot be deprived of the advance increments, unlike there counterparts in Delhi and Haryana.

It is further submitted that the applicant joined in Civil Judge (Sr.Div.) cadre on 15.12.2009 i.e. a period of 5 years has already passed, without getting any benefit of advance increments. This unprecedented delay is not only causing a substantial financial loss to the applicant in the form of interest and depreciation, but also it is resulting in severe demoralizing effect on the personality of the applicant.

Therefore, the applicant, in view of the above submissions, requests very humbly that the applicant's prayer may kindly be heeded to, and the director Treasuries U.P. may kindly be instructed to provide the advance LL.M. increments. in Senior Division also.

With regards,

Yours faithfully,



(Keshav Goyal)
Addl. Civil Judge(Sr. Div.)
Court No. 6, Meerut.

Enclosures: As above.

K

Request-95

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335
09/6/14

By Regd. Post

From,

Pratyush Kumar,
Registrar General,
High Court of Judicature at,
Allahabad.

To,

The Additional Director (Treasuries),
Camp Office, New Treasury Building,
Kutchery Road, Allahabad.

No. /IV f 82(loose)/Admin.(A) dated:

Subject: Grant of three advance increments to those Judicial Officers who have been selected on or after 21.03.2002 having two years degree of LL.M. from a recognized University.

Sir,
With reference to Government's Order No. 1363/II-4-2009-45(12)/91 TC dated 13.05.2009 (copy enclosed for ready reference), on the subject noted above, I am directed to say that on consideration of above G.O., the Court has been pleased to order that three advance increments with dearness allowance be allowed to the following eligible officers (his posting is mentioned with their names) from the date of eligibility i.e., the date of their joining who has been selected on or after 21.03.2002 having two years degree of LL.M. from a recognized University.

S.No.	Name of Judicial Officer	Designation	Place Posting	of
1.	Sri Hasnain Qureshi	Additional District Sessions Judge	& Agra	
2.	Sri Rajesh Parashar	Additional Civil Judge (Sr. Div.)	Agra	
3.	Kumar Rinku	Additional Chief Judicial Magistrate	Agra	
4.	Sri Inder Preet Josh	Additional District Sessions Judge	& Aligarh	
5.	Sri Viqar Ahmed Ansari	Additional District Sessions Judge	& Allahabad	
6.	Sri Dinesh Tiwari	Additional Civil Judge (Sr. Div.)	Allahabad	
7.	Sri Virendra Kumar Srivastava	O.S.D. (Criminal), Court	High Allahabad	
8.	Sri Sarvjeet Kumar Singh	the then Civil Judge (Jr. Div.), Bahraich now Additional Chief Judicial Magistrate	Bahraich	
9.	Sri Hemant Kumar Kushwaha	Additional Chief Judicial	Balrampur	

Request-95

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29. Smt. Nisha Singh
30. Smt. Mona Panwar

31. Sri Subhash Chand

32. Sri Keshav Goyal

33. Sri Raibeer Singh

34. Sri Surya Prakash Singh

35. Sri Pran Vijay Singh

36. Sri Ram Sulin Singh

37. Smt. Babita Rani

Research

Civil Judge (Sr. Div.) Maharajganj
the then Additional Civil Moradabad
Judge (Jr. Div.), Mathura
now Additional Civil
Judge (Sr. Div.)

Additional District & Meerut
Sessions Judge

Additional Chief Judicial Meerut
Magistrate

Additional District & Muzaffarnagar
Sessions Judge

Additional Chief Judicial Raebareli
Magistrate

Additional Chief Judicial Raebareli
Magistrate

the then Additional Ramabai
District & Sessions Judge, Nagar
Jaunpur now Additional
District & Sessions Judge

Additional District & Ramabai
Sessions Judge Nagar

I am therefore to request you kindly to take necessary action
in the matter for issuing necessary authority in favour of concerned officers
mentioned above.

Yours faithfully,

Encl.- copy of G.O. dated 13.05.2009.

Registrar General

No. 8019 /IV f 82(loose)/Admin.(A)

dated: 31-05-2014

Copy forwarded to The District Judges, Agra/
Allahabad/ Bahraich/ Balrampur/ Barabanki/ Bareilly/ Basti/
Bulandshahar/ Etawah/ Faizabad/ Farrukhabad/ Fatehpur/ Firozabad/
Ghaziabad/ Ghazipur/ Gonda/ Hapur/ Hathras/ Jalaun at Orai/ J.P.
Nagar/ Jhansi/ Jaunpur/ Kannauj/ Kanshiram Nagar/ Kaushambi/
Kushinagar at Padrauna/ Lakhimpur Kheri/ Lucknow/ Maharajganj/
Mahoba/ Mainpuri/ Meerut/ Muzaffarnagar/ Pilibhit/ Pratapgarh/
Raebareli/ Ramabai Nagar/ Shahjahanpur/ Siddharth Nagar/ Sultanpur/
Unnao/ Varanasi with the information that on consideration of G.O. dated
13.05.2009(copy enclosed), the Court has been pleased to order that three
advance increments with dearness allowance be allowed to the following
eligible officers (his posting is mentioned with their names) from the date
of eligibility i.e., the date of their joining who has been selected on or after

R

Request-95

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IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD
ANNEXURE NO.3.

IN
CIVIL MISC. WRIT PETITION NO. OF 2017
(Under Article 226 of Constitution of India)

DISTRICT: ALLAHABAD

Dr. Anil Singh-II and others.....Petitioners.

Versus

State of U.P. and othersRespondents.

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Request 95

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प्रेषक,

विकास नागर,
अपर मुख्य महानगर मजिस्ट्रेट चतुर्थ/
अपर सिविल जज (सी डि)
कानपुर नगर । 70 No 6210
सेवा में,

अपर निदेशक शिविर कार्यालय,
कोषागार निदेशालय, उ. प्र.
नवीन कोषागार भवन, कचहरी रोड,
इलाहाबाद ।
द्वारा- माननीय जनपद न्यायाधीश,
कानपुर नगर ।

विषय-एल. एल. एम. उपाधि के परिप्रेक्ष्य में तीन अग्रिम वेतन वृद्धि की गणना करते हुये वेतन पर्यी जारी किये जाने हेतु प्रार्थनापत्र ।
महोदय,

निवेदन है कि उ. प्र. शासन द्वारा जारी किये गये शासनादेश सं 1363/II-4-2009 45-12-/91 टी सी दिनांकित 13/5/09 के परिप्रेक्ष्य में माननीय इलाहाबाद उच्च न्यायालय द्वारा अधिकृत अधिकारियों की जारी की गई सूची -पत्र सं 8020/IV एफ 82 (लूज)/एडमिन (ए)दिनांकित 31/5/14 के माध्यम से प्रार्थी को तीन अग्रिम वेतन वृद्धि प्राप्त करने हेतु अधिकृत किया गया है ।

महोदय, इलाहाबाद उच्च न्यायालय द्वारा जारी किये गये उपरोक्त वर्णित पत्र के परिप्रेक्ष्य में श्रीमान् जी द्वारा माननीय जनपद न्यायाधीश महोदय को प्रेषित पत्र सं 1333/वे0प0प्र0/न्यायिक ई आर पी - V

-143 दिनांकित 5/6/14 के माध्यम से प्रार्थी की सेवा पुस्तिका को माननीय जनपद न्यायाधीश महोदय कानपुर नगर को इस हेतु प्रेषित किया गया था कि नियमानुसार तीन अग्रिम वेतन वृद्धि सहित वेतन निर्धारण की कार्यवाही कर सेवा पुस्तिका वेतन निर्धारण प्रपत्र के साथ आपके कार्यालय को वापस प्रेषित की जाये जिससे कि आपके कार्यालय द्वारा समूह-"क" श्रेणी की वेतन पर्यी जारी की जा सके । यह कि जनपद न्यायालय कानपुर नगर के लेखा कार्यालय द्वारा वेतन निर्धारण की कार्यवाही पूर्ण करते हुये प्रार्थी की सेवा पुस्तिका आपके कार्यालय को पुनः प्रेषित की जा चुकी है एवं समूह "ख" श्रेणी की अवधि की तीन अग्रिम वेतन वृद्धि का अवशेष प्रार्थी को जनपद न्यायालय कानपुर से उपलब्ध कराये जाने की प्रक्रिया जारी है ।

अतः महोदय से निवेदन है कि प्रार्थी को समूह "क" श्रेणी के कार्यकाल की तीन अग्रिम वेतन वृद्धि के सम्बन्ध में वेतन पर्यी जारी करने का कष्ट करें जिससे कि उपरोक्त वर्णित शासनादेश एवं माननीय इलाहाबाद उच्च न्यायालय के उपरोक्त वर्णित पत्र के सन्दर्भ में प्रार्थी को निर्धारित तीन अग्रिम वेतन वृद्धि का लाभ प्राप्त हो सके ।

ससम्मान ।

दि. 22/9/14

भवदीय,

(विकास नागर)

ए. सी. एम. एम. कक्ष सं 04 / अपर सिविल
जज सीनियर डिबीजन,
कानपुर नगर ।


Request-95

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कार्यालय जनपद न्यायाधीश कानपुर नगर

पत्रांक/2164/X कानपुर नगर- दिनांक 22.09.2014

श्रीमान् अपर निदेशक, कोषागार निदेशालय, माननीय उच्च न्यायालय, इलाहाबाद को अग्रसारित ।


जनपद न्यायाधीश,
कानपुर नगर ।
22.09.2014



Request-95

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From,
Vikas Nagar,
Civil Judge (S.D.)
Kanpur Nagar
Personal ID No. UP 6210

To,
The Registrar General,
Hon'ble High Court of Judicature
at Allahabad.

Through,
The District Judge,
Kanpur Nagar

Subject: Representation regarding three advance increments based on
LL.M. Degree.

Sir,

Most respectfully the undersigned applicant wants to submit that the applicant is a member of U.P. Judicial Service since 19.06.2006 and before joining the judicial service, the applicant had obtained the degree of LL.M. from the Devi Ahilya University, Indore (M.P.).

In view of the recommendations of the first National Judicial Pay Commission (Shetty Commission) and the order of the Hon'ble Supreme Court there upon, the Hon'ble High Court, Allahabad has sanctioned three advance increment to the applicant in recognition of the aforesaid LL.M. Degree, vide its letter no. /IV/82 (Loose)/Admin/(A) (Annexure-1).

Further to avail the benefit of these three advance increments the applicant applied to the Director- Treasuries - U.P. And the Treasury in turn got a pay fixation done for applicant's service of class-II (Civil Judge Junior Division Cadre) after due pay fixation and the applicant has received the arrear of salary against his Junior Division Service i.e. from 19.06.2006 to 16.12.2009.

Sir, vide letter no. 2164/X Kanpur Nagar - dated 22.09.2014 (Annexure-2) the applicant again requested the Director Treasury to extend the benefit of these advance increments to applicant's service of Senior Division Cadre i.e. from 17.12.2009 to till date. but unfortunately, the treasury refused to extend the benefit of these advance increments to Senior Division Cadre, on flimsy grounds.

It is submitted that the applicant is entitled for the benefit of these increments in Senior Division Cadre also. The applicant's submissions in support of this claim are as follows:-

That the Delhi Judiciary is a bench mark in this regard and necessarily the Delhi model of advance LL.M. increment is required to be followed by other States because Hon'ble Shetty Commission had observed as follows in its report, at page 590 volume-2, para 8.48.

"If selected candidates are having a higher qualification like post graduation in law, we recommended that three advance increments be given as it is allowed by the Delhi Administration. It is an acknowledged fact that post graduation in law is a difficult course and it is better to reward appropriately such candidates."

de *[Signature]*

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Request 95

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Hence it is the Delhi model which is the source of these increments and the same should be followed to remove doubts and ambiguities.

That looking to the Delhi Model it is amply clear that the benefit of the advance increments has not been denied at Senior Division Cadre, rather this benefit has been extended to Senior Division Cadre also after due pay fixation.

The earlier this controversy had also arisen at Haryana, where Hon'ble High Court of Punjab and Haryana, observed as follows in its reported judgment of Virendra Prasad and other Vs. State of Haryana & others CWP No.15883/11 (O-IM)- Div. Bench)-

"The Addiotinal increments shall continued to be drawn by the judicial officers on their further promotion and / or placement in higher pay scale, as the case may be."

It is submitted that the order passed by the Hon'ble High Court of Punjab and Haryana, certainly has a great persuasive value in the matter.

That, the increments in question are 'advance increments', i.e. the same are not dependant on the contingency, performance or any future event, rather the benefit of these increments is supposed to be given in advance, in recognition of LL.M. dgree, whenever a pay - fixation takes place either due to promotion or pay revision or for any other reason. Accordingly the pay fixation of Senior Division, without adding these advance increments is apparently erroneous.

That after the recommendation of Shetty Commission and the order of Hon'ble Supreme Court, there upon dated 21.03.2012; the uniform pay structures have been adopted by all the States for Judicial Officers. The LL.M. degree holder, Judicial Officers of U.P. can not be deprived of the advance increments, unlike their counterparts in Delhi, Haryana and other States.

It is further submitted that the applicant joined in Civil Judge (Senior Division) Cadre on 19.12.2009 i.e. a period of six years has already been passed, without getting any benefit of advance increments. This unprecedented delay is causing a substaintial financial loss to the applicant not only in the form of interest but also in the form of depreciation of money.

Therefore, the applicant, in view of the above submissions requests very humbly that the applicant's prayer may kindly be heeded to, and the Director Treasuries, U.P. may kindly be instructed to provide these three advance LL.M. increments to the applicant in Senior Division Cadre also.

With Regards,

09.03.2016

Your's Faithfully
Vikas Nagar
Civil Judge (Senior Division)
Kanpur Nagar

Office District Judge, Kanpur Nagar

Letter No. 70/J kanpur Nagar- Dated. 10.3.2016

copy forwarded to the Registrar General, Hon'ble High Court of Judicature at Allahabad.

District Judge,
Kanpur Nagar
10.03.2016

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Request 95

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IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD
ANNEXURE NO.4.

IN
CIVIL MISC. WRIT PETITION NO. OF 2017
(Under Article 226 of Constitution of India)

DISTRICT: ALLAHABAD

Dr. Anil Singh-II and others.....Petitioners.

Versus

State of U.P. and othersRespondents.

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Request-95

58

प्रेषक,

महेश चन्द्र वर्मा
सिविल जज (सी०डि०)
अम्बेडकरनगर

सेवा में,

अपर निदेशक
सिविल कार्यालय, कोषागार निदेशालय
उ०प्र०,
नवीन कोषागार भवन
कचेहरी रोड
इलाहाबाद

विषय:- शासनादेश संख्या-1705/दो-4-2011-45(12)/91टी.सी.
लखनऊ दिनांक 03.1.2012 एवं शासनादेश संख्या
1363/दो-4-2009-45(12)/91 टी.सी. लखनऊ दिनांक
13.5.2010 के अनुसार उत्तर प्रदेश न्यायिक सेवा में मेरे चरण क
समय विधि स्नातकोत्तर उपाधि धारक होने के कारण 3 अग्रिम
वेतन वृद्धि ग्य मंहगाई भत्ता सिविल जज(सी.डि.) के पद पर
प्रोन्नत उपरोक्त कार्यभार ग्रहण करने की तिथि दिनांक 22.12.2013
से प्रदान करने के सम्बन्ध में ।

महोदय,

उपरोक्त सम्बन्ध में सविनय निवेदन है कि मैंने दिनांक 21.6.06
को उ०प्र० न्यायिक सेवा में पदभार ग्रहण किया था। उक्त शासनादेश व
माननीय इलाहाबाद उच्च न्यायालय के आदेश के अनुक्रम में मुझे दिनांक
21.6.06 से 21.12.2013 तक सिविल जज (जू.डि.) के पद का तीन अग्रिम
वेतनवृद्धि माननीय जनपद न्यायाधीश महोदय द्वारा प्रदान किया जा चुका
है।

दिनांक 22.12.2013 से मैं माननीय इलाहाबाद उच्च न्यायालय के
आदेशानुसार प्रोन्नत व स्थानान्तरित होकर सिविल जज
(सी०डि०) अम्बेडकरनगर का पदभार ग्रहण किया हूँ। जिसका वेतनपत्रों
आपके कार्यालय से जारी होना है।

अतः आपसे अनुरोध है कि उक्त उ.प्र.शासन के शासनादेशों व
माननीय उच्च न्यायालय के आदेशानुसार सिविल जज
(सी०डि०) अम्बेडकरनगर का पदभार ग्रहण करने की तिथि 22.12.2013 से
तीन अग्रिम वेतनवृद्धि मेरे वेतन में लगाकर नवीन वेतन पत्रों निर्गत करने
का कष्ट करें।

आपकी महानता होगी।

भवदीय
महेश चन्द्र वर्मा

(महेश चन्द्र वर्मा)
सिविल जज (सी०डि०)
अम्बेडकरनगर

दिनांक:- 12.12.2014

संलग्नक:-

1. शासनादेश संख्या-1705/दो-4-2011-45(12)/91टी.सी.
लखनऊ दिनांक 03.1.2012
2. शासनादेश संख्या 1363/दो-4-2009-45(12)/91 टी.सी.
लखनऊ दिनांक 13.5.2010

Request-95

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महेश चन्द्र वर्मा
सिविल जज (सी०डि०)
अम्बेडकरनगर

सेवा में,

अपर निदेशक
शिविर कार्यालय, कोषागार निदेशालय
उ०प्र०,
नवीन कोषागार भवन
कचेहरी रोड
इलाहाबाद

द्वारा:- माननीय जनपद न्यायाधीश
अम्बेडकरनगर

विषय:- शासनादेश संख्या-1705/दो-4-2011-45(12)/91टी.सी.
लखनऊ दिनांक 03.1.2012 एवं शासनादेश संख्या
1363/दो-4-2009-45(12)/91 टी.सी. लखनऊ दिनांक 13.5.
2010 के अनुसार उत्तर प्रदेश न्यायिक सेवा में मेरे चयन के
समय विधि स्नातकोत्तर उपाधि धारक होने के कारण 3 अग्रिम
/अतिरिक्त वेतन वृद्धि मय मंहगाई भत्ता सिविल जज(सी.डि.) के
पद पर प्रोन्नत उपरांत कार्यभार ग्रहण करने की तिथि
दिनांक 22.12.2013 से प्रदान करने के सम्बन्ध में ।

महोदय,

उपरोक्त सम्बन्ध में सविनय निवेदन है कि मैंने दिनांक 21.6.06
को उ०प्र० न्यायिक सेवा में पदभार ग्रहण किया था। उक्त शासनादेश व
माननीय इलाहाबाद उच्च न्यायालय के आदेश के अनुक्रम में मुझे दिनांक
21.6.06 से 21.12.2013 तक सिविल जज (जू.डि.) के पद का तीन अग्रिम
वेतनवृद्धि माननीय जनपद न्यायाधीश महोदय द्वारा प्रदान किया जा चुका
है।

दिनांक 22.12.2013 में मैं माननीय इलाहाबाद उच्च न्यायालय के
आदेशानुसार प्रोन्नत व स्थानान्तरित होकर सिविल जज
(सी०डि०) अम्बेडकरनगर का पदभार ग्रहण किया हूँ। सिविल जज
(सी०डि०) के पद पर मेरे प्रोन्नति के तिथि 22.12.2013 से माननीय
सर्वोच्च न्यायालय द्वारा प्रथम राष्ट्रीय न्यायिक वेतन आयोग
(शेट्टी आयोग) द्वारा की गयी संस्तुतियों के आधार पर
पारित आदेश दिनांक 21.03.2002 के अनुपालन में जारी
उक्त उ.प्र.शासन के शासनादेशों के अनुसार तीन
अग्रिम/अतिरिक्त वेतनवृद्धि हेतु वेतनपर्ची आपके कार्यालय से जारी
होना है। इस सम्बन्ध में मैंने दिनांक 12.12.2014 को आपको पत्र प्रेषित
किया था। किन्तु, आपके द्वारा पत्रांक-3672(1)/(1)/वे०प०प्र०/न्यायिक
/ई०आर०पी०-12/270 दिनांक-15.01.2015 द्वारा यह कहा गया कि मेरे
प्रोन्नति के उपरान्त, विधि स्नातकोत्तर उपाधि धारक होने के कारण प्रदान
की गयी तीन अग्रिम वेतनवृद्धि प्रोन्नति के पश्चात् नहीं दिया जाएगा,
व्योक्ति उक्त वेतनवृद्धि प्रोन्नति के वेतनमान में समाहित हो गयी है।
किन्तु, मेरे आवेदन दिनांकित 12.12.2014 पर आपके द्वारा दिया गया
कारण माननीय सर्वोच्च न्यायालय द्वारा पारित आदेश 21.3.2002 व
उ.प्र.शासन के संबंधित उक्त शासनादेश दिनांक 15.3.09 व
03.1.2012 के विरुद्ध है।

माननीय शेट्टी आयोग द्वारा की गयी संस्तुतियों के क्रम में
माननीय सर्वोच्च न्यायालय के आदेश दिनांक 21.3.02 के अनुपालन में उ.
प्र.शासन के संबंधित उक्त शासनादेशों के अनुपालन में उ.

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विधि स्नातकोत्तर उपाधि धारक न्यायिक अधिकारियों को लागू दिये जाने की पुष्टि माननीय पंजाब एवं हरियाणा उच्च न्यायालय ने पंजाब एवं हरियाणा उच्च न्यायालय बनाम पंजाब एवं हरियाणा राज्य एवं अन्य में पारित विधि व्यवस्था दिनांकित 02.8.2012 में भी करते हुए पैरा 20 (IV) में स्पष्ट रूप से प्रतिपादित किया है कि उक्त अतिरिक्त वेतनवृद्धि न्यायिक अधिकारियों द्वारा उनके आगे प्रोन्नति और/अथवा उच्च वेतनमान में स्थापन में भी, जैसा भी हो, लगातार आहरित किया जाएगा। माननीय पंजाब एवं हरियाणा उच्च न्यायालय ने विधि स्नातकोत्तर उपाधि धारक न्यायिक अधिकारियों को दिए जाने वाले उक्त "अग्रिम/अतिरिक्त वेतनवृद्धि" का अपने न्याय निर्णयन पंजाब एवं हरियाणा उच्च न्यायालय व अन्य बनाम प्रिया सूद व अन्य में पारित विधि व्यवस्था दिनांकित 30.5.2011 में माननीय सर्वोच्च न्यायालय द्वारा की गयी न्याय निर्णयन के द्वारा प्रतिपादित सिद्धांतों के आधार पर स्पष्ट करते हुए कहा है कि उक्त अग्रिम वेतनवृद्धि माननीय शेट्टी आयोग द्वारा अतिरिक्त वेतनवृद्धि के रूप में अंक परिवर्तनीय है।

अतः आपसे पुनः अनुरोध है कि प्रथम राष्ट्रीय न्यायिक वेतन आयोग (शेट्टी आयोग) द्वारा की गयी संस्तुतियों के क्रम में माननीय सर्वोच्च न्यायालय के आदेश दिनांक 21.3.2002 के अनुपालन में उक्त उ. प्रशासन के शासनादेशों के अनुसार मेरे सिविल जज (सी0डि0) के प्रोन्नति के तिथि 22.12.2013 से तीन अग्रिम/अतिरिक्त वेतनवृद्धि मेरे वेतन में लगाकर नवीन वेतन पर्यी निर्गत करने का कष्ट करें।

आपकी महानता होगी।

भवदीय

(महेश चन्द्र वर्मा)
सिविल जज (सी0डि0)
अम्बेडकरनगर

दिनांक:- 07/3/2015

संलग्नक:-

1. शासनादेश संख्या-1705/दो-4-2011-45(12)/91 टी.सी. लखनऊ दिनांक 03.1.2012
2. शासनादेश संख्या 1363/दो-4-2009-45(12)/91 टी.सी. लखनऊ दिनांक 13.5.2010
3. पंजाब एवं हरियाणा उच्च न्यायालय बनाम पंजाब एवं हरियाणा राज्य व अन्य में पारित विधि व्यवस्था दिनांकित 02.8.2012
4. पंजाब एवं हरियाणा उच्च न्यायालय व अन्य बनाम प्रिया सूद व अन्य में पारित विधि व्यवस्था दिनांकित 30.5.2011

कार्यालय जनपद न्यायाधीश, अम्बेडकरनगर

पत्रांक: 290/1/1A/15 जिला जज/अम्बेडकरनगर/दिनांक: मार्च 07, 2015

अग्रसारित

जिला न्यायाधीश
अम्बेडकरनगर

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शिविर कार्यालय, कोषागार निदेशालय, उत्तर प्रदेश,
नवीन कोषागार भवन, कचेहरी रोड, इलाहाबाद ।

पत्र संख्या: /वे0प0प्र0/न्यायिक/ई0आर0पी0- 17/22 दिनांक: 15/01/15

सेवा में,

श्री महेश चन्द्र वर्मा
निमित्तक 0 ख (नॉट डि)
36720/0000 (3000)

महोदय,

16-12-14

कृपया आप अपने जनपद न्यायाधीश के पत्र संख्या 1421/1/FA/14 दिनांक 16-12-14 का सन्दर्भ लेने का कष्ट करें, जो आपकी विधि स्नातकोत्तर उपाधि के निमित्त समूह "ख" की सेवा में तीन अग्रिम वेतन वृद्धि के साथ वेतन के निर्धारण के सम्बन्ध में हैं ।

इस सम्बन्ध में आपको सूचित किया जाता है कि आपके समूह "ख" के वेतनमान रु0 27700-44770 के अन्तर्गत तीन अग्रिम वेतन वृद्धि के साथ जिला जज द्वारा वेतन निर्धारित किए जाने और जिला जज के सन्दर्भित पत्र द्वारा प्राप्त निर्धारण चार्ट के अनुसार दिनांक 1-6-13 को प्राप्त वेतन रु0 25000 के विरुद्ध समूह "क" की सेवा में दिनांक 22-12-13 को पदोन्नति सम्प्रति अपर सिविल जज (सीनियर डिवीजन) के वेतनमान रु0 39530-54010 में अगले प्रकम में वेतन निर्धारण के प्रति सीनियर डिवीजन के वेतनमान के न्यूनतम पर दिनांक 22-12-13 को रु0 39530-54010 में अगले प्रकम में वेतन निर्धारण के प्रति सीनियर डिवीजन के वेतनमान के न्यूनतम पर दिनांक 22-12-13 को रु0 39530-00 ही वेतन आगणित होता है ।

अतः पूर्व में निर्गत वेतन पर्ची में कोई परिवर्तन नहीं है ।
पत्र संख्या के परिच्छेद अपना प्र. प्र. सं. के अनुसार मांगें
पुरा: अग्रिम वेतन वृद्धि निर्देशानुसार मांगें

भवदीय,

अप निदेशक

पृष्ठांक संख्या 36720 / (1) / वे0प0प्र0 / न्यायिक / ई0आर0पी0- 17/22 दिनांक

प्रतिलिपि:—जिला जज महेश चन्द्र वर्मा को सूचनार्थ प्रेषित ।

अप निदेशक

*Put up before
Respected District
Judge, A.S.M.*

21/1/15

10/1/15

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IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD
ANNEXURE NO. 5.

IN
CIVIL MISC. WRIT PETITION NO. OF 2017
(Under Article 226 of Constitution of India)

DISTRICT: ALLAHABAD

Dr. Anil Singh-II and others.....Petitioners.

Versus

State of U.P. and othersRespondents.

@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@

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Request 95

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आदेश नं०/ए०-929/150-25.5.15

From,

By Regd. Post

S. S. Gautam,
Deputy Registrar(M),
High Court of Judicature at
Allahabad.

To,

The District Judge,
Ambedkar Nagar(U.P)

No. 7437 /TV-3337/Admin.(A)

dated 22-5-2015

Sub: Grant of three advance increments to those officers who have been selected on or after 21-03-2002 having two years degree of L.L.M from a recognized University.

Sir,

Kindly refer to your endorsement No. 597/I/IA/15 dt. 22-04-2015 on the above subject by which representation of Sri Mahesh Chandra Verma, Additional Chief Judicial Magistrate, Ambedkar Nagar has been forwarded wherein Sri Verma has requested to grant the three advance increments, on his promotion to Senior Division scale w.e.f 22-12-2013.

In this connection it is to inform you that three advance increments have already been granted to Sri Verma for having two years LL.M. Degree from a recognized University which has been mentioned in application form submitted at the time of selection vide this Court's letter No. 8019/TV, f 82 (loose)/Admin(A) dt 31-05-2014 w.e.f date of his joining. So far as grant of three advance increments on promotional post is concerned, it is further to intimate you that a proposal in this regard has already been sent to the Government of U.P for implementing it on subsequent promotional post also and reply in this regard is still awaited.

In view of above, I am, therefore, to request you kindly inform Sri Mahesh Chandra Verma accordingly.

Yours Faithfully,

S. S. Gautam
21.5.15

Deputy Registrar

Seen
Inform officer concerned
and C.O.F.
[Signature]
25-5-15

Seen
[Signature]
25/5/15

OR
21/5/15

K

Request-95

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IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD
ANNEXURE NO. 6.

IN
CIVIL MISC. WRIT PETITION NO. OF 2017
(Under Article 226 of Constitution of India)

DISTRICT: ALLAHABAD

Dr. Anil Singh-II and others.....Petitioners.

Versus

State of U.P. and othersRespondents.

@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@

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Request-95

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<http://courtnic.nic.in/supremecourt/tr>

ITEM NO.41

COURT NO.12

SECTION IVB

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).26260/2011

(From the judgement and order dated 30/05/2011 in LPA No.970/2011 of
The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

PUNJAB & HARYANA HIGH COURT CHANDIGARH

Petitioner(s)

VERSUS

PRIYA SOOD & ORS.

Respondent(s)

(With prayer for interim relief)

Date: 11/10/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Petitioner(s)

Mr. Nikhil Nayyar, Adv.
Mr. T.V.S. Raghavendra, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Dismissed.

(DEEPAK MANSUKHANI)
Court Master

(SHARDA KAPOOR)
Court Master

R

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IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD
AFFIDAVIT

IN
CIVIL MISC. WRIT PETITION NO. _____ OF 2017
(Under Article 226 of Constitution of India)

DISTRICT: ALLAHABAD

Dr. Anil^{Kumar} Singh-II and others.....Petitioners.
Versus
State of U.P. and othersRespondents.

Affidavit of Dr. Anil Singh-II, aged about 38 years son of Sri N.P. Singh, Occupation- Government Service, Religion-Hindu, Relation-Petitioner No.1 and friends/pairokar of petitioners No. 2 to 13.

(Deponent)

I, the deponent named above do hereby solemnly affirm and state on oath as under:

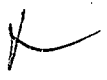
1. That the deponent is the Petitioner No.1 and friends/pairokar of petitioners No. 2 to 13 and as such he is fully acquainted with the facts of the case deposed to below.

I, the deponent named above do hereby state on oath that the contents of para no. 1 of this Affidavit and the contents of para nos 1, 2, 4, 5, 10, 11, 12, 13, 15, 16, 17 of the writ petition are true to my personal knowledge and the contents of paragraph nos. 3, 6, 7, 8, 9, 14,.....

Of the writ petition are based on perusal of records and the contents of paragraph nos. 18,.....

Of the writ petition are based on legal advice which all I believe to be true and no part of it is false and nothing material has been concealed therein.

So Help Me God.


Deponent.

I, Mohammad Afzal, Advocate High Court Allahabad do hereby declare that the person making this affidavit



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and alleging himself to be the deponent is known to me from the perusal of papers and identity proof which produced by him before me in this case.

(Md. Afzal) Advocate
Enrolment No. 7340/2003

Solemnly affirmed before me on this 25th day of February, 2017 at about 10-10^o a.m/p.m by the deponent who has been identified by the Advocate aforesaid.

I have also satisfied myself by examining the deponent that he has fully understood the contents of this affidavit, which has been read over and explained to him by me.

OATH COMMISSIONER

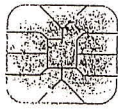
[Handwritten mark]

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UNION OF INDIA Driving Licence

UP NT

UP81 20020000265



जारी करने की तिथि
Date of Issue
03/07/2002

वैधता / Validity
02/07/2022

जन्म तिथि
Date of Birth
01/07/1975

Blood Group
B+



ANIL KUMAR SINGH

पिता/पत्नी/पुत्री का नाम / Son/Daughter

NARSINGH PAL SINGH

DUPLICATE

UP81 20020000265

UP00029263MT


LMV
03/07/2002


MCWG
03/07/2002



UP

Form 7 Rule 16(2)

पता / Address
CIVIL COURT

AMROHA -


Holder's Signature


जारीकर्ता / Issuing Authority Sign
Amroha

Request-95

By Regd. Post

From,

S.S. Gautam,
Deputy Registrar(M),
High Court of Judicature at,
Allahabad.

To,

The District Judge,
Allahabad(U.P)

No. 9990 /IV-3550/Admin.(A)/Allahabad: dated 30-07-2015

Subject: Grant of three advance increments to ~~Sri~~ Dr. Anil Kumar Singh-II, Civil Judge(Junior Division), Allahabad-

Sir,

With reference to your endorsement No. 1473/XV dt. 08-06-2015, on the above subject, I am directed to say that on the basis of the Government Orders No. 1363/II-4-2009-45(12)/91 T.C. dt 13-05-2009 read with G.O. No. 1705/II-4-2011-45(12)/91 T.C. dt. 03-01-2012 issued by the Govt. of U.P., Sri Dr. Anil Kumar Singh-II, the then Judicial Magistrate, Amroha and now Civil Judge(Junior Division), Allahabad was granted three advance increments with dearness allowance by this Court which was communicated to the then District Judge Amroha vide this Court letter No. 14345 dt. 09-10-2013 requesting to allow three advance increments to Sri Singh-II, with effect from date of initial joining in U.P Nyayik Sewa. In compliance of which correspondence were made between the then District Judge, Amroha in the capacity of D.D.O and Senior Treasury Officer, Amroha regarding payment of granted three advance increments. But later objected by saying that these shall be adjusted against subsequent annual increments. Consequently Sri Singh-II requested to this Court for issuing necessary directions in the matter.

I am, therefore, directed to inform that as per the aforesaid G.O. dt 13-05-2009 read with G.O. dt. 03-01-2012, it is crystal clear that aforesaid granted three advance increments are additional which can not be and shall not be adjusted against subsequent annual increments. These increments are over and above annual increments and the same are to be allowed to aforesaid Judicial Officer w.e.f. initial date of his joining in U.P Nyayik Sewa without further delay and payment of arrear, if any, is to be made as soon as possible.

In view of above facts & circumstances, you are requested to take further necessary action in the matter in the capacity of Drawing & Disbursing Officer.

Yours faithfully

[Signature]
25.7.15

Deputy Registrar

No. 9991 /IV-3550/Admin.(A)/Allahabad: dated 30-07-2015

Copy forwarded to:-

- (1). The Additional Director Treasuries, New Camp Office, Kachehari Road, Allahabad for information and issuing necessary directions to Senior Treasury Officer, Allahabad for early compliance of aforesaid orders.
- (2). Sri Dr. Anil Kumar Singh-II, Civil Judge(Junior Division), Allahabad for information and necessary action at his end.

[Signature]
25.7.15
Deputy Registrar

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S.O. (Admin. A-1) / DR (M)
may kindly see an approval of Ld.
J/c Senior Registrar (B) dt 20-7-15 (Allahabad)
& may like to issue? 24.7.15

6 Page
Under
8-6-15
505
09/06/15

15.6.15
Total 6 Pages Request-95

प्रेषक,

डा० अनिल कुमार सिंह-द्वितीय,
सिविल जज (जू०डि०) पश्चिमी,
इलाहाबाद।

8-6-15
18

सेवा में,

माननीय महानिबन्धक,
माननीय उच्च न्यायालय,
इलाहाबाद।

Register No.	9292
File No.	12/3550
Serial No.	70

317
10/6/15

द्वारा: माननीय जनपद न्यायाधीश,
इलाहाबाद।

10-7-15
8
8/7/15
09/07/15

विषय : माननीय उच्च न्यायालय इलाहाबाद के पत्र संख्या 14345/चतुर्थ एफ
92100/प्रशासन/09-10-2013 के अधीन शासनादेश संख्या
1363/2-4-2009-45 (12) 91 टी.सी. दिनांकित 13 मई 2009 के
सन्दर्भ में।

1718
Sd/Adm/H/A

महोदय,

DR (M)
12-6-18

ससम्मान निवेदन करना है कि माननीय उच्च न्यायालय के उपरोक्त पत्रांक संख्या 14345/चतुर्थ एफ 92100/प्रशासन/09-10-2013 के अधीन शासनादेश संख्या 1363/2-4-2009-45 (12) 91 टी.सी. दिनांकित 13 मई 2009 के सन्दर्भ में दी गयी व्यवस्था के अनुसार 3 वेतन वृद्धियां अनुमन्य की गयी थी, जिसके अनुपालन में आहरण एवं वितरण अधिकारी महोदय, जिला न्यायालय, जे० पी० नगर (अमरोहा) आदेशानुसार मूल वेतन में 3 वेतन वृद्धियां जोड़कर अवशेष धनराशि देने हेतु वरिष्ठ कोषाधिकारी, जे० पी० नगर (अमरोहा) जिला कोषागार अमरोहा प्रेषित किया गया, जिस पर दिनांक 21-03-2014 को वरिष्ठ कोषाधिकारी, जे० पी० नगर (अमरोहा) द्वारा इस आशय की आपत्ति की गयी कि 3 अग्रिम वेतन वृद्धि अनुमन्य होने पर अग्रिम अवशेष समायोजन करते हुए कृपया वेतन अवशेष का आहरण करें। जिसके विरुद्ध आहरण एवं वितरण अधिकारी महोदय, जिला न्यायालय अमरोहा द्वारा वरिष्ठ कोषाधिकारी अमरोहा को पत्र प्रेषित किया गया कि माननीय उच्च न्यायालय के आदेश एवं शासनादेश के किसी प्रस्तर व पंक्ति में ऐसा कोई उल्लेख नहीं की गयी है कि 3 वेतन वृद्धि का समायोजन नियमित वेतन वृद्धि से किया जायेगा। इस पत्र के उपरान्त वरिष्ठ कोषाधिकारी अमरोहा द्वारा दिनांक 25-03-2014 को इस आशय की आपत्ति गयी कि उपरोक्त आपत्ति यथावत है। तदुपरान्त माननीय जनपद न्यायाधीश अमरोहा द्वारा दिनांक 11-07-2014 को निदेशक कोषागार, शिविर कार्यालय कचहरी रोड, इलाहाबाद को पत्र प्रेषित किया गया, जिसका कोई जवाब निदेशक कोषागार, इलाहाबाद से अभी तक प्राप्त

1

DR (M)

14 Page

11 JUN 2015

DR (M)
13/07/15

Request-95

2

नहीं हुआ। प्रार्थी को केवल अग्रिम वेतन वृद्धि समायोजित करते हुए भुगतान किया गया है, 3 अग्रिम वेतन वृद्धि के लाभ के अनुसार भुगतान नहीं हुआ है, जिससे प्रार्थी को अत्यन्त आर्थिक हानि हो रही है।

अतः माननीय महोदय से प्रार्थना है कि 3 अग्रिम वेतन वृद्धि को वार्षिक वेतन वृद्धि में संकलित करने हेतु उचित दिशा निर्देश एवं आदेश पारित करने की कृपा करें। माननीय महोदय की असीम कृपा होगी।

ससम्मान।

भवदीय

Anil Kumar Singh 06.06.15

(डा० अनिल कुमार सिंह-द्वितीय)
सिविल जज (जू०डि०) पश्चिमी,
इलाहाबाद।

दिनांक 06-06-2015

संलग्नक :

1. वेतन देयक प्रपत्र। (छाया प्रति)
2. आहरण एवं वितरण अधिकारी द्वारा वरिष्ठ कोषाधिकारी अमरोहा को प्रेषित पत्र की छायाप्रति।
3. माननीय जिला न्यायाधीश, अमरोहा द्वारा संयुक्त निदेशक कोषागार, शिविर कार्यालय, कचहरी रोड, इलाहाबाद को प्रेषित पत्र दिनांकित 11-07-2014 की छायाप्रति।
4. शासनादेश संख्या 1363/2-4-2009-45 (12) 91 टी.सी. दिनांकित 13 मई 2009 की छायाप्रति।

जामलिस जमनप न्यायाधीश, इलाहाबाद
दिनांक 11/7/15 दिनांक 06/06/15

6/6/15
जामलिस न्यायाधीश, इलाहाबाद
06/06/15

Request 25

प्रस्तावित विद्युत नाम है कि इस प्रकार के प्रस्ताव किया गया था सभी एवं निगमानुसार देय है तथा पूर्ण में आहरित नहीं किया गया है। मंगत निगम तथा अन्य न के अंतर्गत स्थापित किया गया है।

एक लाख इन्चों के डाक नों के अंतर्गत

रेवेन्यू स्लॉग

स्लॉग के लिए आवेदन हेतु अधिकृत अधिकारी के हस्ताक्षर एवं मुहर (यदि आवश्यक हो)

(क) संलग्नक (यदि कोई हो)

1. I.T. 2. 3. 4. 5. 6.

आहरण अधिकारी के हस्ताक्षर (पदनाम एवं तमगां-वग की मुहर)

(ख) (i) केवल बिल पर भुगतान करने वाले कोषागारों के प्रयोग हेतु।

प्रदाताक भारतीय स्टेट बैंक / उप कोषाधिकारी / बैंक

रुपय (अंकों में) (शब्दों में) भुगतान करें।

(ii) केवल बैंक द्वारा भुगतान करने वाले कोषागारों हेतु।

रुपय (अंकों में) (शब्दों में) भुगतान हेतु पारित किया जाता है।

7-भुगतान प्राप्त किया

अधिकृत व्यक्ति का नाम S.B.J.

अधिकृत व्यक्ति का नाम

S.B.J.

11-संलग्नक (यदि कोई हो)

महालेखाकार कार्यालय के प्रयोग हेतु

अस्वीकृत रूप

रामेश्वर

Request-95

गोपक

शोभी लाल
आहरण एवं वितरण अधिकारी
जिला न्यायालय अमरोहा।

प्रापक

वरिष्ठ कोषाधिकारी,
अमरोहा।

विषय: श्री अनिल कुमार सिंह सिविल जज जू०डि० अमरोहा के तीन अग्रिम वेतन वृद्धि के भुगतान हेतु प्रस्तुत देयक पर आपत्ति निस्तारण के संबंध में।

आपको अवगत कराना है कि उपरोक्त न्यायिक अधिकारीगण के तीन अग्रिम वेतन वृद्धि का भुगतान माननीय उच्च न्यायालय के पत्रांक सं० 14345/ivt82(100se) Admin (A) दिनांक 09.10.13 के आदेशानुसार एवं शासनादेश सं० दिनांक 15.03.09 में दी गयी व्यवस्था के अधीन 17.04.09 से 28.02.09 तक के अवशेष के भुगतान हेतु बिल कोषागार में प्रस्तुत किया गया था जिस पर आपके द्वारा तीन वेतन वृद्धि अनुमन्य होने पर आगामी वर्षों में समायोजन करते हुए पुनः वेतन निर्धारण की आपत्ति अंकित की गयी हैं।

अतः श्री अनिल कुमार सिंह सिविल जज जू०डि० के माननीय उच्च न्यायालय के आदेश दिनांक 09.01.13 के अधीन तीन अग्रिम वेतन वृद्धियां एलएलएम की विशेष उपाधि धारक होने पर स्वीकृत की गयी है। संलग्न मा० उच्च न्यायालय के आदेश एवं शासनादेश में विषयगत आदेश में किसी प्रस्तर एवं पंक्ति में कोई ऐसा उल्लेख नहीं है कि प्रदान की जा रही अग्रिम वेतन वृद्धियां का समायोजन नियमित वेतन वृद्धि से किया जावेगा।

मा० उच्च न्यायालय के आदेश एवं उ०प्र० शासन के आदेश अवलोकनार्थ एवं भुगतान भी अग्रत्तर कार्यवाही हेतु प्रेषित है।

दिनांक

(शोभी लाल)
आहरण एवं वितरण अधिकारी
जिला न्यायालय अमरोहा।

संलग्नक:

मा० उच्च न्यायालय इलाहाबाद एवं उ० प्र० शासन के आदेश।

संयुक्त निदेशक
कोषागार, सिविल कोर्ट इलाहाबाद
कचहरी रोड इलाहाबाद।

Request-95

पत्रांक संख्या :- 702/14 जिला न्यायालय अमरोहा दिनांक 11/11/14

विषय:- अनिल कुमार सिंह सिविल जज जू0डि0 अमरोहा को माननीय उच्च न्यायालय इलाहाबाद द्वारा स्वीकृत की गयी तीन अग्रिम वेतन वृद्धियों के वेतन निर्धारण में मार्ग दर्शन किये जाने के सम्बन्ध में:-

महोदय,
उपरोक्त विषय पर सादर अनुरोध है कि श्री अनिल कुमार सिंह सिविल जज जू0डि0 अमरोहा का कार्यालयआकानुसार माननीय उच्च न्यायालय इलाहाबाद के पत्र संख्या 14345 / चतुर्थ एफ 92 100/ प्रशासन दिनांक 09.10.2013 के अधीन शासनादेश संख्या 1363/ दो-4 --2009 -45 (12)/91 टी0सी0 दिनांक 13 मई 2009 में दी गयी व्यवस्था अनुसार तीन अग्रिम वेतन वृद्धियां अनुमत्य की गई थी जिसके अनुपालनमें आहरण एवं वितरण अधिकारी महोदय के आदेशानुसार उक्त न्यायिक अधिकारी के मूल वेतन में तीन वेतन वृद्धियां जोड़कर अवशेष का आहरण किये जाने हेतु देयक जिला कोषागार प्रेषित किया गया जिस पर कोषागार तीन अग्रिम वेतन वृद्धि अनुमत्य होने पर आगामी वर्षों में समायोजन करते हुए कृपया वेतन निर्धारण कर अवशेष का आहरण करें। इस आपत्ति के निस्तारण हेतु कोषागार पत्राचार माननीय उच्च न्यायालय को आदेश एवं शासनादेश कीप्रति एवं पत्र में यह उल्लेख करते हुए स्वीकृत की गयी तीन अग्रिम वेतन वृद्धि के समायोजन का निर्देश नहीं दिया गया है। इस पर कोषागार द्वारा पुनः आपत्ति अंकित की पूर्व आपत्ति यथावत है। इस अपात्ति के उपरान्त उक्त न्यायिक अधिकारी का संशोधित वेतन निर्धारण कर तीन अग्रिमवेतन वृद्धियों का आगामी वर्षों में समायोजन करते हुए अवशेष का आहरण किया गया है। इसके उपरान्त न्यायिक अधिकारी द्वारा माननीय उच्च न्यायालय इलाहाबाद के आदेशानुसार स्वीकृत की गयी तीन वेतन वृद्धियों को वेतन निर्गमित के दिनांक से अब तक के अवशेष का आहरणकी मांग की गयी है।

अतः आपसे सादर अनुरोध है कि उक्त न्यायिक अधिकारी को माननीय उच्च न्यायालय इलाहाबाद द्वारा स्वीकृत की गयी तीन अग्रिम वेतन वृद्धियों के वेतन निर्धारण में किराी स्तर पर अनियमितता से बचने हेतु तीन आगामी वेतन वृद्धियों में समायोजन कर वेतन निर्धारण किया जाना है अथवा तीन अग्रिम वेतन वृद्धियों का वेतन में जोड़कर अभी तक वेतन निर्धारण कर अवशेष का आहरण किये जाने के सम्बन्ध में मार्ग दर्शन करने का कष्ट करें।

सादर।

दिनांक 08.07.14

भवदीय

(जिला न्यायिक अधिकारी)
अमरोहा: जे0पी0नगर

अनुरोध

दिनांक 08.07.14

संलग्नक :- यथोक्त

सख्या-1363/ले-4-2009-45(12)/91री॥

प्रेषक,
कुंवर फतेह बहादुर,
प्रमुख सचिव,
उत्तर प्रदेश शासन।

सेवा में,
महानिबंधक,
मा0 उच्च न्यायालय,
इलाहाबाद।

नियुक्ति अनुभाग-4 लखनऊ दिनांक 13 मई, 2009


विषय:-प्रथम राष्ट्रीय न्यायिक वेतन आयोग (शेड्यूल कमीशन) द्वारा की गयी संस्तुतियों के क्रम में मा0 उच्चतम न्यायालय के आदेश दिनांक 21.3.2002 के अनुपालन में उ0 प्र0 राज्य के स्नातकोत्तर उपाधिधारक न्यायिक सेवा के चयनित अभ्यर्थियों को तीन अग्रिम वेतन वृद्धियां प्रदान किए जाने के संबंध में।

महोदय,
उपयुक्त विषयक मा0 शेड्यूल आयोग की रिपोर्ट वाल्यूम-2/ संस्तुति संख्या पीरा-8.48 में वेज-590 पर लिखित संस्तुति की गयी है:-

8.48 If selected candidates are having a higher qualification like post Graduation in Law, We recommend that three advance increments be given as it is allowed by the Delhi Administration. It is an acknowledged fact that Post-Graduation in Law is a difficult course and it is better to reward appropriately such candidates.

2- इस संबंध में मुझे यह कहने का निर्देश हुआ है कि मा0 उच्चतम न्यायालय के आदेश दिनांक 21.3.2002 के अनुपालन में उपरोक्त संस्तुति की दिनांक 21.3.2002 से स्वीकार करते हुए विधि में स्नातकोत्तर उपाधिधारक उ0 प्र0 राज्य के न्यायिक सेवा में चयनित अभ्यर्थियों को 3 अग्रिम वेतन वृद्धि प्रदान किये जाने की श्री राज्यपाल महोदय सहर्ष स्वीकृति प्रदान करते हैं।

3- उपरोक्त आदेश वित्त विभाग के अ0शा0सं0-वे0आ0-2-517/वस-2009 दिनांक 13.5.2009 में प्राप्त उनकी सहमति से निर्गत किये जा रहे हैं।

भवदीय,

(कुंवर फतेह बहादुर)
प्रमुख सचिव।