

**Deputy Registrar (M)**

May kindly see the below placed letter No. 2285/Lit./2017 dated 23.03.2017 of Sri Ravindra Vikram Singh, Officer on Special Duty(J)(Litigation), High Court, Lucknow Bench, received through O.S.D., Litigation, High Court, Allahabad regarding writ petition no. 5774(S/B) of 2017- Rakesh Tripathi Vs State of Uttar Pradesh and others, pertaining to grant of three advance increments at each stage of promotion.

In his letter dated 23.03.2017 Sri Ravindra Vikram Singh, O.S.D.(Litigation), High Court, Lucknow Bench has stated that aforementioned writ petition was listed before the Hon'ble Court on 10.03.2017. The Hon'ble Court has granted six week time to file counter affidavit in the matter. He has requested to send parawise narrative of the aforementioned writ petition so that same may be provided to counsel concerned for preparation of draft counter affidavit in the matter.

In this context it is submitted that Sri Rakesh Tripathi, the then Addl. Chief Judicial Magistrate, Mathura presently posted as Judge, Small Cause Court, Varanasi, was sanctioned three advance increments on the basis of having Degree of LL.M. by this Court and a letter No. 14344/IV f-82(loose)/Admin.(A) dated 09.10.2013(flag at 'A') had been issued to the Additional Director (Treasuries), Allahabad to issue necessary authority in favour of Sri Rakesh Tripathi.

Thereafter, through letter dated 11.02.2014(Flag at 'B'), the Additional Director Treasuries, Allahabad raised some queries in the matter relating to grant of three advance increments with effect from date of initial joining as well as subsequent promotional post also. Through aforesaid letter dated 11.02.2014, Addl. Director Treasuries had also sent the representation dated 21.01.2014 (Flag at 'C') of Sri Rakesh Tripathi, the then A.C.J.M.(Railway), Mathura and sought clarification on following points.

1. Three advance increments are to be granted to selected candidate of judicial service with effect from date of initial joining by adding it to his/her salary.

Or

2. Whether three advance increments are to be granted to selected candidate of judicial service with effect from date of initial joining by adding it to his/her salary.

And

Whether benefit of three advance increments are again to be granted on promotion to Senior Scale i.e. Civil Judge(Senior Division) by adding it to his/her

A.R. (Admin A) / D.R. (M)

As per approval dated 31/3/17  
of Ld. Registrar (Jud.) (Bud.) a  
copy of instant note along with  
relevant papers has been provi-  
ded to Deputy Registrar (Litiga-  
tion). May file!

Jais  
31.3.17 (ARO)

Yes  
<sup>MS</sup>  
31/3/17  
AR

R.P.  
31/3/2017  
D.R. (M)

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salary determined as a result of promotion.

And

Whether benefit of three advance increments are once again to be granted on promotion to Higher Judicial Service by adding it to his/her salary determined as a result of promotion to H.J.S.

Thereafter, in pursuant of order of Ld. Registrar General, a Court's letter No. 6566 dt. 30-04-2014 (**flagged at 'D'**), enclosing therewith letter of Additional Director Treasuries, Allahabad as well as copy of aforesaid representation of Sri Rakesh Tripathi was sent to the Principal Secretary, Appointment Section-4, Govt. of U.P., Lucknow to look into the matter and send necessary order/directions of the Government.

The aforementioned matter was again considered in the meeting of Hon'ble Committee held on 27.07.2015. After deliberation, the Hon'ble Committee resolved that the matter be referred to the Government of U.P. for clarification on the issue. This resolution of Hon'ble Committee was approved by Hon'ble the Chief Justice on 07.08.2015 (**Flag at 'E'**) and in pursuance of which a letter No. 11456/IV F-82(loose)/Admin.(A)/Allahabad, dated 27.08.2015 (**Flag at 'F'**) was sent to Govt. of U.P.

In the mean time, Sri Rakesh Tripathi, Judge, Small Causes Court, Varanasi had sent letter dated 11.07.2016 (**Flag at 'G'**) and stated therein that the benefit of three advance increments has been given to him from 16.06.2006 to 14.12.2009. It has been stopped from 14.12.2009 i.e. date of his promotion to Civil Judge (Senior Division) Cadre. He has requested the Court for providing benefit of three advance increments at each stage of promotion.

In reply to which he was informed through this Court letter No. 12938/IV-3191/Admin.(A1) dated 29.08.2016 (**Flag at 'H'**) that aforesaid matter has been referred to Govt. of U.P. for specific orders/direction and still under consideration before the Govt. of U.P.

In aforementioned matter, Sri Rakesh Tripathi had sent another letter dated 31.08.2016 (**Flag at 'I'**) and stated therein that a representation dated 11.07.2016 was sent to Govt. of U.P. by him. In response to which he has been informed through letter dated 23.08.2016 (**Flag at 'J'**) to represent his matter through the Registrar General, Hon'ble High Court at Allahabad for further necessary action in this regard. He had also requested the Court for forwarding his representation to

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Govt. of U.P. The same was forwarded to Government of U.P. through the Court's letter No. 15740/IV-3191/Admin.(A) dated 22.10.2016(Flag at 'K').

In this context it is also submitted that in pursuance of order passed by Hon'ble Committee & approved by Hon'ble the Chief Justice a reminder letter No. 16366/IVF-82(loose)/Admin.(A)/Allahabad dated 10.11.2016(Flag at 'L'), has also been sent to the Government in aforesaid matter but no reply has been received from Government till date.

As per the requirement of the letter dated 23.03.2017 of O.S.D., Litigation, the 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', 'E', 'F', 'G', 'H', 'I', 'J', 'K' & 'L' may be sent to the Deputy Registrar(Litigation) for further necessary action in aforesaid matter?

A

Registrar (J)(B)  
may like to approve  
as proposed at 'A'

Javils  
30.03.17  
CARO  
MR  
30/3/17  
RR

R/S  
30/3/2017  
K(M)

(A) Approved

Recd  
31/3/17

Photocopy sent,  
@mm  
31.03.17  
for Litigation cell