

IN THE GAUHATI HIGH COURT
(THE HIGH COURT OF ASSAM, NAGALAND, MIZORAM & ARUNACHAL PRADESH)
ITANAGAR BENCH

WP (C) No. 246(AP) 2015

Smti. Henter Ngomdir,
W/o Kogam Basar,
R/o 'D' Sector,
Itanagar.

.....Petitioner

-Versus-

1. The State of Arunachal Pradesh, represented by the Chief Secretary, Govt. of Arunachal Pradesh, Itanagar.
2. The Commissioner/ Secretary, Water Resource Department, Govt. of Arunachal Pradesh, Itanagar.
3. The Chief Engineer, Water Resource Department, Govt. of Arunachal Pradesh, Itanagar.
4. Shri R. B. Chetry, W/C Data Recorder, C/o Executive Engineer, WRD Division, Daporijo, Upper Subansiri District.

.....Respondents

-BEFORE-
THE HON'BLE MR. JUSTICE S.SERTO

For the Petitioner	: Mr. G. Tarak, Adv.
For the State Respondents	: Ms. G. Ete, learned Addl. Sr. Govt. Advocate
Date of hearing	: 23-01-2018
Date of judgment(Oral)	: 23-01-2018

JUDGMENT & ORDER (ORAL)

This is a writ petition challenging the order dated 25.08.2004 issued by the Chief Engineer, Water Resource Department, Govt. of Arunachal Pradesh by which the grade pay of the petitioner was reduced to Rs.1800/- from her earlier grade pay of Rs.1900/-.

2. Heard the learned counsel for the petitioner Mr. G. Tarak and Ms. G. Ete, learned Addl. Sr. Govt. Advocate appearing for State respondents Nos. 1 to 3. None has appeared on behalf of the private respondent.

3. The case of the petitioner in brief is that he was appointed as W/ C Data recorder in the Department of Water Resource under the Govt. of Arunachal Pradesh vide order No.WRD/1/1435/ 2008 dated 06.07.2009 issued by the Chief Engineer at the pay scale of Rs.5200-20200+ grade pay of Rs.1800/-. Thereafter, a corrigendum dated 06.05.2010, No. WRD/1/1435/2008 was issued by the Chief Engineer, Water Resource Department, wherein, the grade pay of the petitioner was enhanced to Rs.1900/-. In the year 2014, the petitioner was regularized as W/C Data Recorder vide order No.WRD/1/1353/2004 dated 25.08.2014 issued by the Chief Engineer, Water Resource Department with the pay scale of Rs.5200-20200 with grade pay of Rs.1800/- PM plus other allowances as admissible under rules from time to time with effect from the date of his joining. The petitioner was aggrieved by the said order of regularization to the extent that her grade pay which was 1900/- had been reduced to 1800/-. Therefore, she submitted a representation to the Chief Engineer, Water Resource Department on 03.09.2004 requesting for necessary correction of her grade pay. In pursuance to her application, the Chief Engineer, Water Resource Department, issued an order dated 28.01.2015 bearing No.WRD/1/1571/2009, wherein, it was clarified that the petitioner's grade pay as already given is final. Being aggrieved, the petitioner has come to this Court praying for a direction directing the respondents to maintain her grade pay at 1900/-.

4. In the course of hearing, the learned counsel for the petitioner submits that if the State respondents are willing to have a re-look at the reduction of her grade pay and restore it to the earlier grade pay granted to her i.e. Rs.1900/- the petition may be disposed of with appropriate direction.

5. Ms. G. Ete, learned Addl. Sr. Govt. Advocate appearing for the State respondents submits that if such a direction is given, the respondents will certainly have a re-look or consider re-fixation of the grade pay of the petitioner at Rs.1900/- as granted to her earlier.

6. In view of the submission of both the counsels, this petition is disposed of with the following direction:-

That the respondents within 2 (two) months from today shall re-consider re-fixation of the petitioner's grade pay at Rs.1900/- as earlier granted to her

vide Corrigendum No. WRD/ 1/ 1435/2008 dated 06.05.2010 issued by the Chief Engineer, WRD, Govt. of Arunachal Pradesh.

This writ petition stands disposed of.

JUDGE

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