



IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 28th OF JANUARY, 2026

WRIT PETITION No. 1733 of 2026

CHAUKHILAL YADAV AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Vasu Jain - Advocate for the petitioners.

Shri Praveen Namdeo - Government Advocate for respondents/State.

ORDER

The petitioners are seeking direction to the respondents to grant the seniority to the petitioners from 01.09.2010 with difference of pay. Counsel for the petitioners relied upon the order passed by Coordinate Bench in W.P. No.20612 of 2018 dated 16.04.2024 in *Nand Kishore Patel and Ors. vs. State of M.P. and Ors.*, whereby in the similar circumstances, the Co-ordinate Bench allowed the petition and issued the direction to the respondents to grant the seniority and difference of pay to the petitioners therein from 01.09.2010. The counsel further submits that the said order was assailed by the Department in W.A.No.2267 of 2024 (*State of M.P. and Ors. vs. Nand Kishore Patel and Ors.*), which was dismissed by order dated 06.11.2024, and thereafter, the Department preferred SLP (Civil) Diary No.34567 of 2025, which was also dismissed by order dated 16.07.2025. The counsel submits that the similar benefit be extended to the present petitioners also.



2. Considering the same, the present petition is disposed of with a liberty to the petitioners to submit detailed separate representations before the Competent Officer of the Department within a period of 30 days from today. If such representations are submitted, the same shall be decided by the Competent Authority in accordance with applicable rules within a period of 45 days from the date of receipt of representations by passing a reasoned and speaking order. The outcome of the consideration shall be communicated to the petitioners. It is made clear that this Court has not expressed any opinion on the merits of the case. With the aforesaid, present petition is **disposed of**.

3. I deemed it proper to suggest the State Government to formulate a policy to decide the disputes or grievances of the employees of the State Government at the initial stage itself to avoid the multiplicity of the cases and for that purpose, the State Government may empower one officer of every Department at every level of office to hear and decide the grievances of the employees. Several employees of the State Government are compelled to approach the High Court and the High Courts are flooded with the service matters, which can be avoided. The matters in respect of transfer, pay scale, increment, promotion, seniority, regularization, classification, suspension, termination, seeking similar benefits etc. may be decided at the initial stage itself, which will save the time, money and energy of the employees. The State Government also spends lot of money to defend these cases. In case the officers of the State Government are not available, the State Govt. may take the services of the retired District Judges also and appoint them in the different Departments to consider and decide the grievances of the



employees. Setting up such Dispute Resolution System will help the State Govt. to resolve the complaints of the employees in accordance with the applicable rules, policies, circulars and schemes issued by Govt. time to time. This will be more flexible way to settle the issues with direct discussions between the affected employees and the authorized officer. They will get an opportunity to present their grievances before the officers of their own department and the same will help in smoothing and working of the government servants.

4. A copy of this order be forwarded to the Chief Secretary of the State for consideration of the aforesaid suggestion.

(VINAY SARAF)
JUDGE

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