Supreme Court of India
Arvind Narayan Sorti And Ors. vs State Of M.P. And Anr. on 12 July, 1994
Equivalent citations: 1995 (1) SCALE 215, 1995 Supp (2) SCC 150
Bench: M Venkatachaliah, R Sahai
ORDER

1. We have heard Dr. Shankar Ghose, learned senior Counsel for the petitioners.

2. The petitioners are Presiding Officers and Members of the Industrial Court in the State of Madhya Pradesh. It is not disputed that they are not drawn from the regular subordinate judiciary on deputation.

3. There are several contentions urged by Dr. Shankar Ghose in support of this petition. One of them is that having regard to the nature of the duties performed and judicial powers exercised by them, the pronouncement of this Court in "All India Judges' Association and Ors. v. Union of India and Ors." , will cover their cases and that their age of superannuation etc. should be regulated accordingly. We are afraid, this claim is not tenable. They are not directly covered by the said pronouncement and that scheme was confined to judicial officers appointed to the subordinate judiciary in the State.

4.It is, however, urged that there are other distortions and anomalies in the pay structure and conditions of the petitioners' service vis-a-vis the Presiding Officers of the Labour Courts on whose orders, the petitioners exercise appellate powers. It is also submitted that certain representations have been made to the Government by the petitioners for correcting the said anomalies and that the said representations have not been considered. This claim is independent of the one based on the applicability of the pronouncement of this Court in All India Judges' Association case [supra]. It is open to the petitioners, if the representations are not disposed of by the Government within a reasonable time, to move the High Court for such relief as the petitioners consider they are entitled to. We do not, however, express any opinion either on the merits or justiciability of any of those issues.

5. With these observations, the writ petition is dismissed.