



1

RP-354-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE ASHISH SHROTI

ON THE 22nd OF JUNE, 2026REVIEW PETITION No. 354 of 2026*JIWAJI UNIVERSITY GWALIOR AND OTHERS**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

.....
Appearance:

Shri Tapan Kumar Trivedi - Advocate for the petitioners.

Shri Dilip Awasthi - GA for respondent no. 1/State.

Shri Bhanu Prakash Singh,- Advocate for respondent no. 2.

.....

ORDER

Review petitioner/University has filed this review petition seeking review/recall of order dated 12/11/2025 passed by this Court in W.P. No.8160/2024.

2. Writ petitioner is the Union of employees, who have been conferred with status of Sthai Karmi as per Policy dated 7/10/2016. Writ petition was filed by Union claiming benefit of minimum of the revised pay-scale as per the recommendations of 7th Pay Commission. This Court disposed of the writ petition in view of order passed in similar writ petition filed by one *Laxminarayan & others Vs. State of Madhya Pradesh Through Principal Secretary & others in W.P. No.14925/2024.*

3. Present review petition has been filed primarily on the ground that petitioner/Union was not having *locus* to file the writ petition in



representative capacity inasmuch as the petitioner/Union is not recognized/registered. The other ground for review as raised in the review petition is that the University is not bound by the Circular dated 7/10/2016.

4. So far as the first ground raised in the review petition is concerned, it is seen that petitioner/Union made a specific averment in para 5.1 of the writ petition that it is a Union registered under the Society Registrikaran Adhiniyam, 1973. In para 5.2, it was stated that pursuant to the resolution dated 15/12/2023 passed by the petitioner/Union, Shri Tahseeldar Singh Gurjar, President of Union, was authorized to file the writ petition. In the writ petition, there was no specific denial by University of these averments and no objection was raised to the *locus* of the petitioner/Union. Instead, averments of para 5.1 were denied for want of knowledge.

5. In the present review petition, the petitioner/Union has filed documents Annexure R/3 and R/4. From these documents, it is gathered that vide order dated 26/5/2025, issued by the Vice Chancellor of the University, the Election Officer for conducting election of the petitioner/Union was appointed. Vide another order dated 2/6/2025 (Annexure R/4), the election programme of the Union was issued by the Election Officer who was again the officer of the University. Vide Annexure R/5- the Election Officer declared the office bearers of Union as elected as President etc.

6. It is thus seen that the review petitioner/University itself has recognized the Union for the purpose of representation of the Sthai Karmi. Thus, in view of the documents filed alongwith the reply, the objection raised by the University is not acceptable in the review petition and is



accordingly rejected.

7. So far as the second ground is concerned, in para 5.6 of the reply filed in the writ petition, the University has stated that the members are receiving fixed pay as per Policy dated 7/10/2016. Vide aforesaid Policy the State Govt. has provided that the persons conferred with status of Sthai Karmi are entitled to the pay-scale as prescribed in the Policy.

8. Aforesaid Policy was under consideration before the Division Bench of this Court in the case of *Laxminarayan* (supra), wherein, the Division Bench in para 11 & 12 has held as under:-

"11. Earlier, the services of the petitioners were governed under the Madhya Pradesh Daily Wages Employees (Conditions of Service) Rules, 2013, and vide Circular dated 7.10.2016, these Rules have been repealed. The repealed Rule 5 prescribes the revision of daily wages as revised by the competent authority from time to time. Therefore, the daily wagers were entitled for revision of wages time to time, therefore after classification as Sthayi Karmi, they are entitled for revision of wages and pay scale. There cannot be a fixed pay scale for these permanent employees as fixed in the Circular dated 7.10.2016 for their entire service life. Therefore, they have only been entitled to the minimum pay scale, but this does not mean that the minimum pay scale is not revisable during their service.

12. Therefore, Rule 2(b)(VIII) of the M.P. Revision of Pay Rules, 2017 is discriminatory and there is no reasonable justification offered by the State, hence declared ultra vires. The petitioners and all Sthayi karmi are entitled to the benefits of the M.P. Revision of Pay Rules, 2017. Their pay scales in all the three categories viz skilled, semi-skilled and unskilled be revised in the corresponding minimum pay scales in the M.P. Pay Revision Rules of 2017 and



arrears be paid to them."

9. Aforesaid pronouncement of legal provision is binding upon the University also, and therefore, it cannot escape from its liability to comply with the same.

10. In view of the aforesaid, second ground raised in the review petition seeking recall/review of order dated 12/11/2025 passed in W.P. No.8160/2024 is also not made out.

11. Review petition accordingly fails and is hereby **dismissed**.

(ASHISH SHROTI)
JUDGE

JPS/-