

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

WP(C).No. 911 of 2013 (L)

PETITIONER(S):

**DR.SOSAMMA JOHN, ASSISTANT PROFESSOR,
DEPARTMENT OF PHYSICAL EDUCATION,
CATHOLICATE COLLEGE, PATHANAMTHITTA.**

BY ADV. SRI.S.MUHAMMED HANEEFF.

RESPONDENT(S):

- 1. MAHATMA GANDHI UNIVERSITY,
REP. BY ITS REGISTRAR, PRIYADARSHINI HILLS,
ATHIRAMPUZHA, KOTTAYAM.**
- 2. DEPUTY DIRECTOR OF COLLEGIATE EDUCATION,
KOTTAYAM.**
- 3. DIRECTOR OF COLLEGIATE EDUCATION,
THIRUVANANTHAPURAM.**
- 4. STATE OF KERALA,
REP. BY ITS SECRETARY TO THE GOVERNMENT,
HIGHER EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

**R1 BY ADV. SRI.VARUGHESE M.EASO, SC.
R2 TO R4 BY GOVT. PLEADER SMT.LOWSY. A.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 24-03-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

WP(C).No. 911 of 2013 (L)

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE ORDER NO.AC.B.V./4/491/2006 DATED 15/03/2007
ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.
- EXT.P2 COPY OF THE STATEMENT OF FIXATION OF PAY OF THE
PETITIONER DATED 25/10/2004.
- EXT.P3 COPY OF THE JUDGMENT DATED 09/03/2012 IN
WP(C).NO. 25962/2008 OF THIS HONOURABLE COURT.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.911 of 2013

Dated this the 24th day of March, 2015

JUDGMENT

The petitioner entered in the service with Ph.D. Therefore, the petitioner was granted four increments. When the petitioner moved to higher scale, this benefit was withdrawn. It is challenging this decision, the petitioner has approached this Court. The issue is covered in favour of the petitioner. It is held that in the number of judgments, when the petitioner moves to the higher scale, the original increment granted to the petitioner shall be retained.

In view of the above, there shall be a direction to retain the increment originally granted, the petitioner shall be given revised scale of pay and the arrears shall be disbursed within a period of three months.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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