

**HON'BLE SRI JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO**

WRIT APPEAL No. 6 OF 2007

JUDGMENT: (per the Hon'ble Sri Justice Dilip B. Bhosale)

This writ appeal is against the order dated 26-10-2006 passed by learned single Judge in Writ Petition No.18673 of 2006, whereby the said petition filed by the appellant has been disposed of observing that upon reinstatement, the appellant is at liberty to exercise option for extension of the benefit of revised pay scales, as provided for by Regulation 4(ix) of the Andhra Pradesh State Electricity Board Revised Pay Scales for Office Staff, O & M Staff, Construction Staff, Medical Staff, Teaching Staff, Fire Fighting Staff and Security Staff Regulations, 1994 (for short, 'the Regulations'), and if the appellant exercises his option, then the respondents would process the same, and pay the benefit of revised pay scales, to which the appellant was entitled to. This observation, it is clear, would entitle the appellant only if he was reinstated, exonerating him of the charges levelled against him. Insofar as criminal case is concerned, the appellant was convicted by the judgment, dated 07-01-2010.

In this backdrop, learned Senior Counsel appearing for the respondents fairly states that if the appellant makes a representation to the 2nd respondent, seeking the difference of subsistence allowance paid on the basis of his salary as on the date of his suspension and the revised pay scales, according to the revisions in 1994, 1998, 2002 and 2006, the 2nd respondent shall consider the same and pay the difference within eight weeks from the date of the representation. Learned counsel for the appellant submits that the appellant shall make representation within a period of two weeks from today.

The submissions made by learned counsel for the parties are

recorded and accepted. In view thereof, we dispose of this appeal by the following order:

The appellant at liberty to make a representation, as aforementioned, within a period of two weeks from today. The 2nd respondent shall consider the representation, if any, and pay the difference as admissible within a period of eight weeks from the date of receipt of the representation.

With these observations, the writ appeal is disposed of. Consequently, miscellaneous petitions, if any, also stand disposed of. No costs.

DILIP B. BHOSALE, J

A. RAMALINGESWARA RAO, J

28-01-2015
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