

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.36089 OF 2012

DATED:24-6-2015

Between:

Sri Anantram Samudrala

... Petitioner

And

The Controller
Legal Metrology (Head Quarters)
209, PWD Building, Gandhinagar
Hyderabad
and others

... Respondents

... Respondents

COUNSEL FOR THE PETITIONER: None appeared

COUNSEL FOR THE RESPONDENTS: G.P. for Civil Supplies (TS)

THE COURT MADE THE FOLLOWING:

ORDER:

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This writ petition is filed to declare the action of the respondents in not paying the petitioner's remuneration dues as illegal and arbitrary.

The petitioner averred that he was appointed as Legal Advisor (Consultant) to respondent No.1 on 6.11.2006. That he has appeared in many cases concerning respondent No.1 before different fora and though he has been making representations from 26.9.2011 onwards for payment of his remuneration dues, they did not yield result and therefore he has caused a legal notice dt.26.3.2012 issued to respondent No.1 for payment of dues. As no payment has been received by the petitioner, he has filed this writ petition.

In the counter affidavit filed by respondent No.1 it is *inter alia* stated that the petitioner was duly paid his remuneration which he is legally entitled to receive, on various dates commencing from 23.3.2007 to 8.11.2010 to a tune of Rs.1,29,000/- and that no further payments are due to the petitioner. It is further averred that when the petitioner was making representations he was informed that as per the available record no further payments were due to him but, however, the petitioner may substantiate his claim by producing relevant documentary evidence for consideration for further payment. In paragraph 13 respondent No.1 has stated as under:

"It is earnestly submitted that even now the department is ready to consider his claim subject to the condition that petitioner should be pleased to renew his claim with necessary record, in his possession, otherwise it is not possible on the basis of repeated request without evidence."

No reply affidavit is filed by the petitioner.

From the averments in the counter affidavit, it is not evident that

the reason for not making further payments as requested by the petitioner is the petitioner's failure to produce the evidence in support of his claim for payment of further remuneration. Respondent No.1 has clearly undertaken to settle the petitioner's claim, if the same is supported by evidence. In view of this clear stand taken by respondent No.1, the writ petition is disposed of by permitting the petitioner to approach respondent No.1 with documentary proof in support of his claim for payment of further remuneration. If such proof is filed, within two months thereof respondent No.1 shall take a decision and communicate the same to the petitioner.

Subject to the above directions, the writ petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P. No.45865 of 2012 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

24-6-2015

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