

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

WRIT PETITION No.6685 of 2005

-

Between:

K.Narasaiah

...Petitioner

and

The Regional Manager, APSRTC,
Karimnagar.

...Respondent

DATE OF JUDGMENT PRONOUNCED: 12.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-

- | | |
|--|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment
may be marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6685 of 2005

-

ORDER:

The petitioner, a driver in the service of the Andhra Pradesh State Road Transport Corporation (APSRTC), filed this Writ Petition assailing the proceedings dated 30.08.2004 passed by the Regional Manager, APSRTC, Karimnagar, rejecting his request for sanction of a special grade increment in Driver Grade-II category with effect from 01.05.1989.

The case of the petitioner was that he was initially appointed as a Driver in the service of APSRTC on 16.07.1973 and that, as per the memorandum of settlement dated 21.04.1989, he was entitled to an increment upon putting in 12 years of service in the same category. As his representation in this regard failed to evoke any response, he filed Writ Petition No.11642 of 2004 before this Court which was disposed of on 09.07.2004 directing the APSRTC to pass appropriate orders upon the petitioner's representation. In consequence, the Regional Manager, APSRTC, Karimnagar issued the impugned proceedings.

Perusal of the impugned proceedings dated 30.08.2004 reflects that the petitioner, having been appointed as a Driver Grade-II in the service of the APSRTC on 16.07.1973, was granted Special Grade, that is, Driver Grade-I, with effect from 01.04.1983 under the APSRTC's proceedings dated 28.03.1987. The Regional Manager pointed out that the time scale of a Driver Grade-II in Special Grade was Rs.1150-1975, whereas the time scale of Driver Grade-I was Rs.1350-2370. As the petitioner was already drawing Rs.1350-2370, a higher scale in the post of Driver Grade-I than that of Driver Grade-II in special grade, his request for granting special grade on completion of 12 years of service as a Driver Grade-II was not found appropriate. It was on this basis that the petitioner's representation was rejected.

Though Sri P.Govinda Rajulu, learned counsel for the petitioner, would contend that the grant of Driver Grade-I scale to the petitioner with effect from the year 1983 is not a promotion, Sri A.Ravi Babu, learned Standing Counsel appearing for the TSRTC, the successor-in-interest of the APSRTC in the State of Telangana, contended that as per the Regulations, promotion to the post of Driver Grade-I is made from the category of Driver Grade-II.

Perusal of the APSRTC Employees (Recruitment) Regulations, 1966, which had application in the year

1983, reflects that the method of recruitment to the post of Driver Grade-I was by way of promotion from the feeder category of Driver Grade-II.

In the light of the afore-stated Regulations, it is clear that the petitioner was granted promotion to the post of Driver Grade-I even before he completed 12 years as a Driver Grade-II. Thus, a stagnation increment, which was the subject matter of the memorandum of settlement dated 21.04.1989, had no application to him. His prayer for grant of such an increment was therefore without basis and was rightly rejected by the APSRTC. This Court finds no irregularity in the impugned proceedings.

The Writ Petition is accordingly dismissed.

Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY

KUMAR, J

12th AUGUST, 2015.

kvni