

**HON'BLE SRI JUSTICE DILIP B. BHOSALE**

**AND**

**HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO**

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**WRIT APPEAL No. 198 OF 2014**

**P.C:** (per the Hon'ble Sri Justice Dilip B. Bhosale)

This writ appeal is directed against the order dated 01-08-2013 passed in Writ Petition No.20791 of 2002, whereby the writ petition filed by respondent No.1 came to be allowed. The operative portion/concluding paragraph of the order dated 01-08-2013 reads thus:

“Consequently, not only the award of the Labour Court but also the very enquiry report is found to be baseless and are accordingly set aside. The 2<sup>nd</sup> respondent – APSRTC is directed to reinstate the petitioner into service with full back wages, continuity of service and other attendant benefits. The writ petition is allowed accordingly.”

We heard this matter on last occasion and it was adjourned for settlement. Today, learned counsel for the parties state that the parties have settled their dispute amicably and pray for modifying the above operative portion/concluding paragraph of the impugned order. The operative portion is accordingly modified as follows:

“The appellant is directed to reinstate respondent No.1 into service and shall extend notional benefits for the purpose of pay fixation and grant continuity of service with attendant benefits, but without back wages. Insofar as one-fourth back wages paid to respondent No.1, in pursuance to the order passed by this Court dated 03-03-2014 are concerned, it is open to the appellant to recover the said amount from the salary of respondent No.1 at the rate of Rs.2,500/- per month, till the entire amount is recovered. It is needless to mention that they shall start deducting

the said amount from his salary after pay fixation. Rest of the order of the learned single Judge shall remain unaltered.”

With these observations, the writ appeal is disposed of.

Miscellaneous petitions, if any, also stand disposed of.

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**DILIP B. BHOSALE, J**

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**A. RAMALINGESWARA RAO, J**

06-04-2015

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