

HON'BLE SRI JUSTICE R.KANTHA RAO

W.P.No.26543 of 2015

ORDER:

Heard learned counsel on either side.

This writ petition is filed seeking to direct the respondents to follow the Circular dated 8.9.1992 for payment of notional increments from the date of termination of services of the petitioner till the date of his reinstatement with continuity of service.

This Court while disposing of W.P.No.11138 of 2002, on 31st July, 2014, passed the following order.

“For the reasons stated above, the Writ Petition is allowed. The order of removal from service passed by the 3rd respondent/disciplinary authority dated 4.4.2002, as confirmed by the 2nd respondent/Appellate Authority vide orders dated 24.04.2002 is set aside.

The Writ Petition was filed in the year 2002 and the age of the petitioner was shown in the cause title as 48 years. By now, the petitioner attained the age of superannuation. Therefore, the respondents are directed to treat the petitioner as if continued in service till the date of attaining his age of superannuation and accordingly calculate the retiral benefits and pay the same to the petitioner, within a period of three months from the date of receipt of a copy of this order. It is made clear that the petitioner shall not be entitled for back wages, however,

he shall be entitled to all other attendant benefits and continuity of service. In the circumstances, there shall be no order as to costs.”

Learned counsel appearing for the petitioner submits that except the relief as prayed for in the writ petition, the aforesaid order passed by this Court has been complied with by the respondents.

Therefore, the respondents are directed to pay the notional increments and other attendant benefits to the petitioner from the date of his termination till the date of his reinstatement in terms of the Circular dated 8.9.1992.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition stand closed.

JUSTICE R.KANTHA RAO

2nd September, 2015
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