

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.11036 OF 2016

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue an order or direction more particularly one in the nature of WRIT OF MANDAMUS a) declaring the action of respondent Board in not extending the benefit of MACP i.e. Rs.4200/- to Rs.5400/- with effect from 01.01.2006 in terms of the Office Memorandum issued by the 1st Respondent dated 19.05.2009 (though the petitioner is eligible for the benefit of MACP much prior to registration of CBI case) on the alleged ground of C.C.No.2/11 is pending before the CBI Court, Visakhapatnam is illegal, arbitrary and violation of Articles 14, 16 and 21 of Constitution of India and consequently direct the respondent Board to pay MACP to the petitioner i.e. Rs.4200/- to Rs.5400/- w.e.f. 01.01.2006 as the petitioner is entitled MACP much prior to registration of CC No.2/2011 and pay the consequential benefits without taking consideration the CC is pending before the CBI Court, Visakhapatnam and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. Heard Sri K.Satyanarayana Murthy, learned counsel, appearing for the petitioner and Sri J.V.Prasad, learned standing counsel, appearing for the respondents.

3. When the matter is taken up, it is requested by the learned counsel for the petitioner that for redressal of the grievance of the petitioner, petitioner herein will make a necessary application before the respondents and the same may be directed to be disposed of by the respondents, in accordance with law, by fixing some timeframe. The said request is not opposed by the learned standing counsel

appearing for the respondents.

4. For the aforesaid reasons, Writ Petition is disposed of, keeping it open for the petitioner herein to make necessary application before the respondents, for redressal of his grievance, within a period of one month from the date of receipt of a copy of this order and if any such application is made, the same shall be considered and appropriate orders be passed by the respondents, in accordance with law, within a period of one month thereafter.

5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

06.04.2016

SS