

The Hon'ble Sri Justice C.V.Nagarjuna Reddy
and
The Hon'ble Sri Justice G.Shyam Prasad

Writ Appeal No.603 of 2016

–
Date: 27.07.2016

Between:

St.Ann's College for Girls
Hyderabad
rep. by its Correspondent

..Appellant/4th respondent

and

Shaik Zikria and 18 others

..Respondents

Counsel for the Appellant:

Mr.P.Roy Reddy

**Counsel for respondent Nos.1 to 16:
Shavili**

Mr.Abhinand Kumar

**Counsel for respondent No.17:
Education (TS)**

GP for Higher

The Court made the following:

Judgment: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The *ex parte ad interim* order, dated 18-04-2016, granted in WPMP.No.15716 of 2016 in

WP.No.12538 of 2016 is assailed in this Writ Appeal.

Mr.P.Roy Reddy, learned Counsel for the appellant, submitted that as the appellant is a private management running an educational institution and the private respondents are working therein as attenders and sweepers on contingent basis, G.O.Ms.No.29 Education (Rules), dated 05-02-1987, has no application to them.

Mr.Abhinand Kumar Shavili, learned Counsel for the private respondents, fairly submitted that the learned Single Judge has merely directed the appellant to pass appropriate order on the entitlement of the private respondents for payment of pay scales and that therefore, no cause of action had arisen for the appellant to file this Writ Appeal.

We have given our earnest consideration to the respective submissions of the learned Counsel for the parties.

As rightly submitted by the learned Counsel for the private respondents, no peremptory directions have been issued by the learned Single

Judge to grant pay scales to the private respondents. On the contrary, liberty is given to the appellant to pass appropriate orders keeping in view G.O.Ms.No.29 Education (Rules) dated 05-02-1987. If the appellant is satisfied that the private respondents are entitled to the pay scales prescribed under the said GO, they shall extend the said benefit to them. In a converse situation, they can pass appropriate order denying the said benefit to them of course, by giving detailed reasons therefor.

In the light of the above discussion, we do not find any reason to interfere with the order of the learned Single Judge.

The Writ Appeal is, accordingly, dismissed.

As a sequel to dismissal of the Writ Appeal, WAMP.No.1605 of 2016, filed by the appellant for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

—

—

(G.Shyam Prasad, J)

Dt: 27th July, 2016

lur