

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
and
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No.23028 of 2004

ORDER: (per VRS, J)

The State has come up with the above Writ Petition challenging an order of the Administrative Tribunal, directing the State to grant the benefit of proper pay fixation from the date of promotion as Deputy Inspector General of Registration.

Heard learned Government Pleader for Services (Telangana). Learned counsel for the respondent was absent both on the last occasion and today.

Even according to the case of the respondent, he was appointed as Deputy Inspector General of Registration with effect from 19.05.1999 only on in-charge basis with certain conditions. The person holding in-charge arrangement cannot get the benefit of regular pay fixation. Paragraph 4 of G.O.Ms.No.833, dated 19.05.1999 makes it clear that in-charge of the post will not give any right to the persons with regard to seniority, salary, pensionary or other benefits. The same paragraph also states that person in-charge of a higher post will be paid the salary of the present post, even if they are kept in-charge of a higher post.

Without appreciating the said Government Order, the Tribunal allowed the Original Application and directed the grant of the regular pay scale of the post of which the respondent was holding only on in-charge arrangement. Therefore, the order of the Tribunal deserves to be set aside.

Accordingly, the writ petition is allowed and the order of the Tribunal is set aside.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

9th NOVEMBER, 2016.

V. RAMASUBRAMANIAN, J

G. SHYAM PRASAD, J

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