

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

WRIT PETITION No.39553 of 2012

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, for the following relief:

“To issue an appropriate writ or direction particularly one in the nature of WRIT OF CERTIORARI, quash the impugned Proc. No. M1/1(13)/2004-DM/NKD, dated 07.10.2004 in deferring increments for a period of (2) years which shall effect on postponing the petitioner's future increments as arbitrary, unjust and in violation of Art. 14, 16 & 21 of the Constitution of India and consequently the petitioner pray this Hon'ble Court may be pleased to direct the respondents to restore those two deferred increments along with all consequential benefits flowing out of it, in the interest of justice and fair play.”

2. It is submitted by the learned counsel for the petitioner as also the learned Standing Counsel for the respondents the issue in the present writ petition is squarely covered by the orders of this Court passed in 1224 of 2011 and batch dated 19.11.2015 and the copy of the same is also placed on record.

3. Following the above said order and for the reasons recorded therein, this Writ Petition is also allowed in part, directing that the impugned orders passed by the respondent authorities shall be treated as one for stoppage of annual increments without cumulative effect. It is also made clear that the petitioner herein is also not entitled for any monitory benefit. Miscellaneous Petitions pending, if any, shall stand closed. There shall be no order as to costs.

A.V. SESA SAI, J

Date:26.04.2016

Note: Office to annex copy of the order
in W.P.No.1224 of 2011 and batch
dated 19.11.2015

b/o grk

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Dated 26th April 2016

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