

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.26326 OF 2000

ORDER:

This Writ Petition is filed seeking a writ of Mandamus declaring the action of 1st respondent in according regular pay scales to the petitioner only with effect from 29.4.2000 instead of according the same from the date on which similarly placed Junior Assistants were accorded regular pay scales or atleast from the date of representation of the petitioner dated 19.5.1994, as arbitrary, illegal and violative of Articles 14 and 16 of the Constitution of India and for a consequential relief to accord the pay scales on par with other Junior Assistants with retrospective effect.

2. Heard Sri D. Rama Krishna, learned counsel for the petitioner and learned Assistant Government Pleader for Endowments.

3. It is contended by the learned counsel for the petitioner that the Writ Petitioner had earlier filed Writ Petition No.12461 of 1996 before this Hon'ble Court seeking a direction to extend regular pay scales to the petitioner and the said Writ Petition was disposed of on 7.2.2000 directing the respondents to extend the pay scales to the petitioner. In pursuance to the order in the said writ petition, the respondents have extended the regular pay scales to the petitioner with effect from 29.4.2000 i.e, prospectively but not retrospectively on par with his juniors.

4. The respondents have filed a counter affidavit contending that the total expenditure on establishment charges of the 2nd respondent devasthanam had exceeded 30%.

5. In view of the stand taken by the respondents that the total expenditure on the establishment had exceeded 30%, no direction can be

issued to the respondents to extend the regular pay scales to the petitioner with retrospective effect.

6. Writ Petition is devoid of merits and accordingly, writ petition is dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.

ABHINAND KUMAR SHAVILI ,J

Date:22.11.2017

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