

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P. NO.31043 OF 2017

ORDER

The case of the petitioners, as per the averments made in the affidavit filed in support of the writ petitioner, is that in pursuance of the DSC notification of the year 1989 and by virtue of interim orders of this court, the Government appointed them as Special Teachers during the year 1996 and they have been working since then. Subsequently, after disposal of the cases by this court, the Government issued fresh appointment orders during the year 2001 and by proceedings of the 2nd respondent – Commissioner, date 11.01.2002, they were kept under apprenticeship for a period of two years and vide G.O.Ms.No.1149 dated 1.11.2003, they were granted time scale with effect from 11.1.2002, ignoring their services rendered since 1996. The further case of the petitioner is that vide G.O.Ms.No.21 dated 18.5.2010, their services from the year 1996, were considered for pensionary benefits, special scales under career advancement scheme and for transfer. Aggrieved by the action of the respondents in not considering their services from the date of their initial appointments in the year 1996, for notional seniority and attendant benefits, the petitioners made representation dated 3.8.2017 to the 4th respondent - District Educational Officer. Aggrieved by the action of said respondent, in considering their representation, the present writ petition has been filed.

The learned counsel for the petitioner relying on the judgment of the Apex Court in ***L.CHANDRAKISHORE SINGH v. STATE OF***

MANIPUR¹ would submit that the petitioners are entitled for consideration of their seniority with effect from the date of their initial appointment and the consequential benefits of notional seniority and attendant benefits.

Heard the learned Assistant Government Pleader for services.

Since the representation of the petitioners dated 3.8.2017 is stated to be pending before the 4th respondent – District Educational Officer, the said authority, is directed to consider the representation of the petitioners, by taking into consideration the above factors and the law laid down by the Apex Court in the above cited decision and pass appropriate order and take action in accordance with law, within a period of three months from the date of receipt of a copy of this order.

The writ petition is disposed of with the above direction. No costs.

Miscellaneous petitions pending if any, shall stand closed.

A.RAJASHEKER REDDY,J

DATE:13—09—2017

AVS

¹ (1999)8 SCC 287