

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE MRS. JUSTICE ANIS**

WRIT PETITION No.36262 of 2013

ORDER: [Per the Hon'ble Sri Justice *Sanjay Kumar*]

This Writ Petition is filed by the Government of Andhra Pradesh and its authorities in the Medical & Health Department challenging the order dated 23.11.2012 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in Review M.A.No.3164 of 2012 in O.A.No.9049 of 2010.

The said review petition was filed by the 1st respondent herein seeking review of the order dated 30.8.2012 passed in O.A.No.9049 of 2010. He further sought a consequential direction to extend him the benefits due to a Senior Driver on par with others in terms of G.O.Ms.No.127 dated 22.4.2003. By the order under challenge, the Tribunal allowed the review petition and directed the authorities to grant the Senior Driver Scale (light weight vehicle) to the 1st respondent as per G.O.Ms.No.127 dated 22.4.2003 by giving retrospective effect to G.O. No.86 dated 30.3.2010 as per his seniority and eligibility.

By order dated 20.12.2013, this Court granted interim suspension of the order passed by the Tribunal which is under challenge in this Writ Petition. W.V.M.P. No.1037 of 2016 was filed by the 1st respondent to vacate the aforestated order.

Perusal of the material filed along with the vacate stay petition reflects that the Government of Andhra Pradesh implemented the orders passed by the Tribunal and this Court in

the cases of other senior drivers who sought the same relief as was sought by the 1st respondent before the Tribunal. Proceedings dated 13.2.2008 of the District Medical & Health Officer, Khammam and Proceedings dated 16.4.2008 of the District Medical & Health Officer, Vizianagaram, in relation to identically situated drivers are placed on record.

Learned Government Pleader for Services (Andhra Pradesh) fairly states that these orders pertain to identical relief granted to similarly situated drivers which was accepted and implemented by the authorities. That being so, we see no reason as to why the 1st respondent should be discriminated when others similarly situated have been given the same relief without protest.

The Writ Petition is therefore dismissed on this short ground.

Interim suspension dated 20-12-2013 shall stand vacated. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

SANJAY KUMAR, J

ANIS, J.

Date:15.02.2017

skmr