

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 4153 OF 2002

ORDER:

Heard Sri N. Ashwani Kumar, learned counsel for the petitioner and learned Government Pleader for Education.

The petitioner was initially appointed, on temporary basis, as a Junior Lecturer in 1986 in the 3rd respondent college. Her services were regularized with effect from 06.10.1994. She claims the service rendered from 1986 to 31.03.1994 for the purpose of pensionary benefits, but the same was rejected.

In the counter-affidavit filed on behalf of the respondents, it has been stated as under:

“ Hence, the petitioner is not entitled for counting of her unaided service from 1986 to 31.03.1994 even for the retirement benefits as she was not a regular lecturer and she was only a part-time lecturer. The petitioner contention that she is entitled for sanction of notional increments, service and fixation of pay for that period is not tenable. The petitioner is not entitled for any pay fixation by taking her initial appointment into consideration, if the petitioner is entitled for any differential pay from 01.04.1994 to 20.10.1994 and increments from 01.04.1994 to April 1998 that will be considered and a letter is addressed to the Correspondent for sending proper proposals for payment of arrears from 01.04.1994 to 20.10.1994, if any.”

Today, when the matter is taken up for hearing, in view of the above stand taken by the respondents, learned counsel for the petitioner requests that the Writ Petition may be disposed of directing the respondents to consider payment of differential amount to the petitioner from 01.04.1994 to 20.10.1994 and

increments from 01.04.1994 to April 1998, subject to her entitlement.

The stand of the respective parties is made part of the record. The Writ Petition is therefore, disposed of with a direction to the 3rd respondent College to take necessary steps to send proposals with respect to the differential pay from 01.04.1994 to 20.10.1994 and increments from 01.04.1994 to April 1998 subject to the rules. As and when such recommendations are received, Respondents 1 and 2 shall consider and pass appropriate orders within 12 weeks thereafter. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

17th July 2017

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CHALLA KODANDA RAM, J

