

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.25847 OF 2003

ORDER

This writ petition is filed seeking the following relief:

“...to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus (i) declaring the action of the 1st respondent in not paying our salaries from July, 2003 as illegal, arbitrary and unconstitutional apart from being violative of principles of natural justice and against the orders of this Hon'ble Court in WPMP No.27071 of 2003 in WP No.21685 of 2003, dated 15.10.2003 and Resolution No.5 passed by the Managing Committee of the 1st respondent-Society dated 31.10.2003; consequently (iii) direct the 1st respondent-Society to pay our salaries from July, 2003 as has been paid to us prior to July, 2003; and (iii) pass such other order or orders as the Hon'ble Court deems fit, proper and appropriate in the circumstances of the case.”

While admitting the writ petition on 12.12.2003, this Court granted interim direction, which reads as under:

“There shall be interim direction to the respondents to pay salaries to the petitioners. However, the said payment shall not exceed 2% of the working capital. If the salaries which are being paid to the petitioners and other employees of the society exceed 2% of the working capital, the salaries shall be paid restricting to 2% of the working capital by reducing proportionality, if necessary.”

When the matter is taken up for hearing, learned counsel appearing for the petitioner submits that when the

respondents have failed to pay the salaries to the petitioners, the present writ petition is filed and in view of amendment to Section 116 (C) (i) of the A.P.Co-operative Societies Act, 1964, the question of paying salaries does not arise.

Having regard to the said submission, the Writ Petition is closed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

14th November, 2018
rkk

