

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 24178 of 2002

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the office order dated 21.10.1998 issued by the 3rd respondent and consequential appellate order dated 13.03.2001 issued by the 2nd respondent and the proceedings dated 24.12.2001 issued by the 1st respondent, as illegal and arbitrary. A consequential direction is also sought to the respondents to restore the increments withheld vide proceedings dated 21.10.1998 issued by the 3rd respondent duly granting all other consequential benefits.

When the matter is taken up for hearing, learned counsel on either side have fairly conceded that the issue raised in the writ petition is squarely covered by the judgment dated 04.10.2018 passed by this Court in W.P.No.21453 of 2010 and prayed that similar orders may be passed in this writ petition. The operative portion of the said judgment reads as under:

"Accordingly, the Writ Petition is allowed modifying the punishment of deferment of one annual increment with cumulative effect to that of deferment of one annual increment without cumulative effect, without any monetary benefits, but with notional fixation of pay. No order as to costs. Pending miscellaneous applications, if any, shall stand closed in consequence."

Following the judgment dated 04.10.2018 passed by this Court in W.P.No.21453 of 2010, this writ petition is allowed modifying the punishment of deferment of one annual increment with cumulative

effect to that of deferment of one annual increment without cumulative effect, without any monetary benefits, but with notional fixation of pay.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

27th November, 2018
cbs



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Writ Petition No. 24178 of 2002
(allowed)

27th November, 2018

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