

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 17876 OF 2002

ORDER :

This Writ Petition is filed seeking to issue Writ of Mandamus declaring the impugned proceedings dated 12.2.2002 as arbitrary, unjust and in violation of Art. 14, 16 & 21 of the Constitution of India and consequently direct the respondents to accept his option with effect from 1.6.1989 and release all increments.

2. Heard Mr.V.Narsimha Goud, Counsel for the petitioner and Mr.N.Vasudeva Reddy, Standing Counsel for the respondents-Corporation.

3. It has been contended by the petitioner that he was initially appointed as Conductor on 25.05.1979. While he was discharging his duties as a Conductor, his case was considered for promotion to the post of Junior Assistant on 28.12.1988 and he was promoted as Junior Assistant. But the grievance of the petitioner is that though he was promoted to the higher post of Junior Assistant, the respondents are not extending the increments to which he is entitled, on the ground that the petitioner has submitted his option belatedly, not in accordance with the Circular instructions dated 9.3.1990.

4. The Standing Counsel for the respondents-Corporation contends that the petitioner has submitted a representation after 13 years from the date of his promotion and only on this ground, the Writ Petition is liable to be dismissed and there no are merits in the Writ Petition.

5. This Court is of the considered view that this Writ Petition can be disposed of directing the respondents to consider the case of the petitioner for release of increments on his promotion as Junior Assistant and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, Writ Petition is disposed of.
7. The Miscellaneous Petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

10th December, 2018

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