

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.12819 OF 2015

ORDER

This writ petition is filed seeking the following relief:

“... to issue an appropriate writ, order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents in not fixing the pay of the petitioner in the cadre of Turner/Turner Instructor, as arbitrary, illegal, contrary to law and in violation of Article 14 of the Constitution of India and consequently direct the respondents to fix the pay of the petitioner in the cadre of Turner/Turner Instructor forthwith and pass such other order or orders may deem fit and proper in the circumstances of the case.”

Heard Sri Subba Rao Korrapati, learned counsel appearing for the petitioner and learned Additional Advocate General appearing for the 1st respondent.

It is the case of the petitioner that he was appointed as a Turner in the 2nd respondent on daily wage basis on 19.03.1985. After rendering considerable length of service, he was brought to the time scale of Helper (Technical) *vide* proceedings dated 24.3.1988. His grievance is that though he is discharging the duties of Turner Instructor, the respondents are not extending the pay scale attached to the post of Turner. He submitted a representation on 21.01.2015 to the respondents. But so far no orders have been passed thereon. Hence, the writ petition.

Learned counsel appearing for the petitioner contends that appropriate orders be passed directing the respondents to consider the case of the petitioner for extending the regular pay scale attached to the post of Turner Instructor.

Learned Additional Advocate General appearing for the respondents contends that as the petitioner was appointed on daily wage basis and his services are not regularized, he is not entitled to the pay attached to the post of Turner Instructor.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition is disposed of directing the respondents to consider the representation submitted by the petitioner on 21.01.2015 and pass appropriate orders thereon within a period of four weeks from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

27th November, 2018
rkk

JUSTICE ABHINAND KUMAR SHAVILI

