

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO**

WRIT PETITION NO.14116 OF 2018

ORDER : (Per Hon'ble Sri Justice Sanjay Kumar)

The prayer of the petitioners in this case is to direct the respondent-authorities to abide by and implement the order dated 13.07.2012 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.5281 of 2012 and release periodical increments and other allied benefits to them on par with similarly situated employees.

Though the Deputy Secretary to the Government, Panchayat Raj & Rural Development Department, Andhra Pradesh Secretariat, filed a counter affidavit admitting that similarly situated persons were granted relief, he stated that such compliance was due to the fact that the Tribunal practically held a knife to the neck of the Government forcing implementation of its orders.

We are distressed to note the tone and tenor of the language used by no less than a Secretary to the Government. If the Tribunal passes an order which is not acceptable to the Government, it is for the Government to take steps to get the said order set aside by a higher Court. In the event it fails to do so, the Government is bound by law to implement the orders of the Tribunal in accordance with the statutory scheme. The Government cannot complain that the Tribunal held out threats forcing implementation of its order, if the said order attained finality.

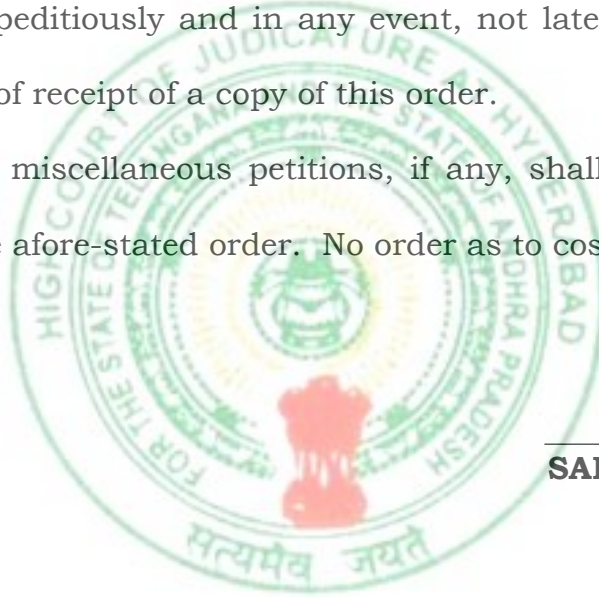
Learned Assistant Government Pleader for Services does not dispute the fact that the order dated 13.07.2012 passed by the

Tribunal in O.A.No.5281 of 2012 has attained finality. He fairly states that the Government did not even choose to file a writ petition assailing the validity of the said order.

In that view of the matter, the Government is bound to give effect to and duly implement the said order and cannot take the plea that it has extended relief to others identically situated to the petitioners only due to the force exerted upon it by the Tribunal.

The Writ Petition is accordingly allowed. The respondents shall give effect to and implement the order dated 13.07.2012 passed by the Tribunal in O.A.No.5281 of 2012, in so far as the petitioners are concerned, expeditiously and in any event, not later than six weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of the afore-stated order. No order as to costs.



SANJAY KUMAR, J

M. GANGA RAO, J

16th August, 2018

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