

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 7580 of 2000

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking a writ of mandamus to declare the respondents to pay the arrears of pay to which he is entitled basing on the special scale of pay on completion of 22 years of service.

2. During pendency of the writ petition, the writ petitioner died and his legal representatives filed I.A.No.1 of 2006 (WPMP No.28752 of 2006) seeking to permit them to come on record as legal representatives of the deceased writ petitioner and the said petition is ordered today.

3. It has been contended by the counsel for the petitioners that the deceased petitioner had retired from service on attaining the age of superannuation on 31.05.2016 and he was not extended the special scale of pay on completion of 22 years of service in the 3rd respondent school.

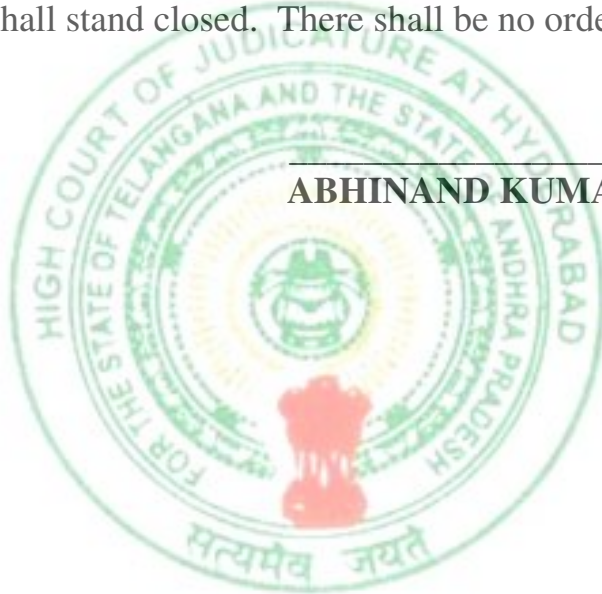
4. Having considered the submissions made by the parties, without expressing any opinion on the merits of the case, this Court is of the view that the writ petition can be disposed of with a direction to the legal representatives of the deceased petitioner to submit a representation to the respondents for grant of arrears of pay.

5. Accordingly, the writ petition is disposed of with a direction to the legal representatives of the deceased petitioner to submit a representation to the respondents seeking the arrears of pay to which the deceased petitioner is entitled, basing on the special scale of pay on completion of 22 years of service, within four weeks, and on submission of such representation, the respondents shall consider the same and pass orders within eight weeks thereafter.

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

ABHINAND KUMAR SHAVILI, J

6th July, 2018
cbs



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(disposed of)

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