

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.8308 OF 2003

ORDER :

When the matter is taken up for hearing, counsel for the petitioner submits that during the pendency of Writ Petition, the petitioner has expired and contends that this Writ Petition can be disposed of directing the respondents to pay death benefits, if any, to which deceased petitioner was entitled to be paid, to the legal representatives of the petitioner. Therefore, this Writ Petition is disposed of with a direction to the legal representatives to submit a representation within one week from the date of receipt of this order and on receipt of such representation, the respondents are directed to consider the same within a period of four weeks thereafter.

2. Counsel for the petitioner further submits that the issue raised in this Writ Petition is squarely covered by the law laid down by the Apex Court in **APSRTC Vs.S.NARSAGOUD**¹ and in view of the same, the petitioner is entitled for notional increments.

3. The standing counsel for the respondents has not disputed the same.

4. In view of the rival submissions, this Writ Petition is disposed of directing the respondents to grant notional increments to the petitioner in terms of the Judgment referred to supra, if not already paid, within a period of four weeks from the date of receipt of a copy of this order.

5. The Miscellaneous Petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

29th October, 2018

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¹ Civil Appeal No.6362/2000

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