

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.26703 of 2003

ORDER:

This writ petition is filed seeking a writ of mandamus declaring the action of the respondents in not extending all benefits such as increment, leave salary, pension etc. to the petitioners on par with the teaching staff, as arbitrary, illegal and violative of Article 14, 16 of the Constitution of India and sought for a consequential direction to direct the respondent university to extend the benefits such as increment, leave salary, pension etc. to the petitioners on par with the teaching staff.

Heard Sri Serla Pandari, learned counsel for the petitioners and the learned Standing counsel for the respondent university.

It has been contended by the petitioners that originally they were appointed with the 1st respondent as a non-teaching staff and they were transferred to the 2nd respondent university in the year 1955. The grievance of the petitioners is that they were entitled for payment of increment, leave salary, pension etc. to the petitioners on par with the teaching staff. When the petitioners were about to retire at the age of 58 years, they along with

similarly situated employees filed W.P.No.19776/1999 and 21441/1999 and this Court has directed the 2nd respondent to continue the employees who were transferred from university treating their age of superannuation as 60 years and to pay other consequential benefits. In pursuance to the orders passed by this Court, the respondents have issued proceedings dated 10.04.2000. While issuing the said proceedings, the respondents have not paid salary, grade increments, leave salary, pension and other benefits on par with the teaching staff. The principle grievance of the petitioners is that they are entitled to be treated on par with the teaching staff and that they should be extended the benefits of increment, leave salary, pension etc. on par with the teaching staff.

This Court, having considered the submissions of both the counsel, is of the considered view that this writ petition can be disposed of directing the petitioners to submit a representation to the 2nd respondent within two weeks from the date of receipt of copy of this order. On receipt of such representation, the 2nd respondent shall consider and pass appropriate orders within four weeks thereafter.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

ABHINAND KUMAR SHAVILI,J

Dt: 15.11.2018
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