

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

WRIT PETITION No.31576 OF 2016

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

This writ petition by the Government of India and its authorities in the Postal Department arose out of the order dated 14.09.2015 passed by the Central Administrative Tribunal, Hyderabad Bench, Hyderabad, in O.A.No.296 of 2014. The said O.A. was filed by respondents 1 to 15 herein for grant of Grade Pay of Rs.5,400/- with effect from the date of completion of four years in the Grade Pay of Rs.4,800/-. By the order dated 14.09.2015, presently under challenge, the Tribunal relied upon the judgment dated 06.09.2010 of the Madras High Court in W.P.No.13225 of 2010, which was followed by it earlier in O.A.No.1051 of 2010, and allowed the O.A. directing the authorities to grant the benefits to respondents 1 to 15-applicants as were granted to those covered by the order in O.A.No.1051 of 2010. Aggrieved by this direction, the authorities preferred the present writ petition.

Upon being informed that the judgment relied upon by the Tribunal has been stayed by the Supreme Court, this Court granted interim suspension of the order under challenge on 20.09.2016. Thereupon, the contesting respondents-applicants filed W.V.M.P.No.564 of 2017 to vacate the said order. As it was brought to the notice of this Court that there was no stay in operation in so far as the judgment of the Madras High Court was concerned as was stated before this Court at the time of passing of the interim order, this Court, *vide* order dated 13.02.2017, vacated the interim order dated 20.09.2016.

While so, Sri N.Vijay, learned counsel appearing for the contesting respondents-applicants, would now inform this Court that Civil Appeal No.3893 of 2011, arising out of the judgment of the Madras High Court in W.P.No.13225 of 2010, along with SLP (Civil) Nos.23513 & 3189 of 2015 and 17576 of 2017, were dismissed by order dated 10.10.2017.

In that view of the matter, as the Tribunal merely followed the edict of the Madras High Court in the aforestated judgment which now stands confirmed, we find no grounds to entertain this writ petition for independent adjudication.

The writ petition fails and is accordingly dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.



SANJAY KUMAR,J

M. GANGA RAO, J

Date: 06.11.2018
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