

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 27112 of 2018

Date : 3.7.2018

Between:

Pasupula Mallaiah S/o Subramanyam
51 years Addl Asst Engineer
O/o Asst Divisional Engineer,
Transformer Sub Division,
APSPDCL Gooty, Anantapur

Petitioner

And

The SE, APCPDCL
Anantapur and others

Respondents

The Court made the following:



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ORAL ORDER:

According to petitioner, on the ground of pending criminal proceedings, he was denied annual increments and was also not granted revision in the revised pay scales. Though, petitioner was subsequently acquitted in the criminal case, suspension period is not regularized; increments were not granted and pay fixation is not extended. According to learned counsel, as can be seen from the proceedings of the Chairman and Managing Director/second respondent in memo dated 5.5.2017 said benefits are not granted to the petitioner only on the ground that Criminal Appeal is pending.

2. Prima facie, the said decision is not valid in law. Mere pendency of Criminal Appeal is not a ground for not granting benefits, once acquittal is granted by the trial Court. At any rate, increments and revision of pay fixation can not be denied to an employee as long as he is working. Having regard to the same, respondents are directed to consider the representation of the petitioner dated 9.6.2017 duly keeping in mind the observations made above and pass appropriate orders within a period of four weeks from the date of receipt of copy of this order.

3. Accordingly, writ petition is disposed of. No costs. Miscellaneous petitions, if any pending, are closed.

DATE: 03-08-2018
TVK

P NAVEEN RAO,J

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