

HON' BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No. 27940 of 2018

ORDER:- (ORAL)

(Per Hon' ble Sri Justice Suresh Kumar Kait)

This writ petition is filed challenging the order dated 03.02.2017 in O.A.No. 3047 of 2014 passed by the A.P. Administrative Tribunal, Hyderabad whereby the application filed by the petitioners under Section 19 of the Administrative Tribunals Act, 1985 seeking to count their N.M.R. service prior to regularization of their services for the purpose of pension benefits and seniority without any monetary benefits, has been dismissed.

Heard the learned counsel for both the parties and with their consent this writ petition is taken up for disposal at the admission stage itself.

The petitioners were initially appointed as N.M.Rs. for the period from 1986 to 1988 and their services were regularized in terms of G.O.Ms.No. 212, Finance and Planning (FW.PC.III) Department, dated 22.04.1994 by virtue of G.O.Ms.22 Irrigation and CAD Department, dated 24.02.2011. The petitioners are seeking declaration that the action of the respondents in not counting their services rendered as N.M.Rs. prior to regularization of their services for the purpose of pension benefits and seniority, as illegal and arbitrary.

When similar issue came up in W.P.No. 33288 of 2012, this Court directed the Government to extend the benefit to the petitioners in terms of the judgment of the Supreme Court in *B.Srinivasulu v. Nellore Municipal Corporation (Civil Appeal No. 6318 of 2015, dated 17.08.2015)*.

Accordingly, issue being the same in the present writ petition, the respondents are directed to extend benefit to the petitioners in terms of the judgment of the Supreme Court in the case of B.Srinivasulu cited supra, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

08.08.2018

SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

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