

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.9681 of 2005

ORDER:

This writ petition is filed challenging the action of respondents in not treating the period from 08.04.2002 to 17.04.2002 as “Compulsory Wait”, vide proceedings dated 27.05.2003.

Counsel for petitioner submits that in view of the action of respondents in not treating the period from 08.04.2002 to 17.04.2002 as “Compulsory Wait”, the petitioner has lost valuable salary for those 10 days and the petitioner has retired from service on 31.05.2002. Counsel for petitioner further submits that the petitioner has filed this writ petition after retirement, with a limited prayer to treat the period from 08.04.2002 to 17.04.2002 as “Compulsory Wait” and to release the pay for the above said period.

This Court, having considered the said submission, is of the considered view that the issue whether the above said period is to be treated as “Compulsory Wait” or not, will not have any effect on the retiral benefits of the petitioner. In view of the fact that there will not be any change in the service conditions of the petitioner or in his retiral benefits, this Court is not inclined to adjudicate the case as it pertains to a very small period of 10 days, and even if it is not treated as “Compulsory Wait, no prejudice would be caused to the petitioner.

In view of above, there are no merits in the writ petition and the same is accordingly dismissed. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

24th December 2018

ajr