

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

WRIT PETITION NO.31247 OF 2018

ORDER: (per SK,J)

The petitioner is the second applicant in O.A.No.8360 of 2012 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. The prayer of the three applicants therein was to declare the action of the authorities in not releasing their Annual Grade Increments, HRA, and CCA from the date of payment of minimum time scale along with arrears as illegal. A consequential direction was sought to the authorities to release the Annual Grade Increments, HRA and CCA from the date of payment of minimum time scale along with arrears. By order dated 07.10.2015, the Tribunal dismissed the O.A.

We are now informed by Sri K.Ramakrishna, learned counsel representing Sri P.Raghavender Reddy, learned counsel for the petitioner, that the other two applicants in O.A.No.8360 of 2012 filed W.P.No.16950 of 2018 before this Court aggrieved by its dismissal. A Division Bench of this Court allowed the said writ petition *vide* order dated 25.06.2018. By the said order, the Division Bench followed the earlier decision of this Court in W.P.No.26788 of 2017 which was disposed of by order dated 10.08.2017 and directed the authorities to release the minimum time scale of pay to the petitioners by adding annual grade increments as and when they fell due from time to time within a time frame. The Division Bench also made it clear that the said benefit should be granted only from the date of filing of the O.A.

As the petitioner herein stands on an identical footing to the petitioners in W.P.No.16950 of 2018, we are of the opinion that he cannot

be discriminated against and would be entitled to the very same relief granted by this Court in W.P.No.16950 of 2018.

The writ petition is accordingly allowed setting aside the order of dismissal dated 07.10.2015 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.8360 of 2012 and directing the respondents to extend to the petitioner the benefit of annual grade increments from the date of filing of the O.A. The monetary benefits payable to the petitioner in terms of this order shall be remitted to him within four weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.



SANJAY KUMAR,J

M.GANGA RAO,J

Date:12.10.2018

PGS/GJ