

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

WRIT PETITION NO.32562 OF 2015

ORDER

(Per Hon'ble Sri Justice Sanjay Kumar)

The petitioner assails the action of the respondents in not implementing the order dated 30.12.2014 passed by a Division Bench of this Court in W.P.No.16681 of 2014. He seeks a consequential direction to the respondents to grant him the pay scale attached to the post of B.Ed. Assistant with effect from 1986, being the year in which he acquired B.Ed. qualification. By the order dated 30.12.2014 passed in W.P.No.16681 of 2014, the Division Bench noted that it was not in dispute that the petitioner herein acquired B.Ed. qualification in the year 1986 and held him entitled to the pay scale attached to the post of B.Ed. Assistant from 1986, being the year in which he acquired B.Ed. qualification and not from the date of his initial appointment.

Sri Nimmagadda Venkateswarlu, learned counsel for Repalle Municipality, Repalle, Guntur District, the third respondent herein, however stated before this Court that the petitioner did not enter the service of the said Municipality till the year 1988 and therefore, the Repalle Municipality cannot be directed to abide by the aforestated order with effect from 1986.

Sri Ch.Krishna Reddy, learned counsel for the petitioner, fairly conceded that as the petitioner did not enter the service of the Repalle Municipality till 02.06.1988, he would not press for any reliefs in terms of the order dated 30.12.2014 passed in W.P.No.16681 of 2014 from 1986.

We find this to be a fair concession as Chilakaluripeta Municipality where the petitioner worked up to 02.06.1988 was not even made a party to this writ petition.

As Sri Nimmagadda Venkateswarlu, learned counsel, expressed that Repalle Municipality, Repalle, Guntur District, would abide by the order dated 30.12.2014 from 02.06.1988, the writ petition is disposed of directing the Repalle Municipality to compute the benefits payable to the petitioner in terms of the said order with effect from 02.06.1988 and pay the same to the petitioner. This exercise shall be completed expeditiously and in any event, not later than two months 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

10th OCTOBER, 2018

Sw

