

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 5979 of 2002

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the circular dated 23.03.2002 issued by the respondent Sainik School stopping the family planning increment granted to the petitioners with immediate effect and ordering recovery of the amount already paid from their monthly salaries, as illegal and arbitrary. A consequential direction is also sought to the respondents to pay the family planning increment to the petitioners.

When the matter is taken up for hearing, it is brought to the notice of the Court that on 03.04.2002, while admitting the writ petition, this Court granted an interim order in WPMP No.7483 of 2002 directing the respondents not to recover the family increment from the salaries of the petitioners. The said interim order was made absolute vide orders dated 12.11.2003 in WVMP No.2743 of 2002. In view of the interim orders, no recovery has been made from the salaries of the petitioners till date.

In view of the above and following the judgment of the Apex Court in *State of Punjab and others Vs. Rafiq Masih*¹, the writ petition is closed.

¹ (2015) 4 SCC 334

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

14th August, 2018
cbs



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Writ Petition No. 5979 of 2002
(closed)

14th August, 2018

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