

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.1324 of 2019

ORDER

This writ petition is filed seeking the following relief:

“...to issue a Writ, Order or direction more in the nature of Mandamus declaring action of the respondents in not sanctioning the Special Grade Increments on completion of eight years service in the cadre of Office Subordinate from 01.04.2007 onwards and on completion of six years service in the cadre of Record Assistant from 01.09.2014 onwards on par with similarly situated candidates and also not granting Annual Grade Increment on 01.01.2015 and not releasing the earned leave encashment in spite of representation made by the petitioner to the respondents on 20.12. 2016 and 23.08.2017 is arbitrary, illegal, unjust, violation of Articles 14 and 21 of the Constitution of India and consequentially declare that the petitioner is eligible to the Special Grade Increments on completion of eight years service in the cadre of Office Subordinate from 01.04.2007 onwards and on completion of six years service in the cadre of Record Assistant from 01.09.2014 onwards and eligible for Annual Grade Increment on 01.01.2015 and the earned leave encashment and to pass such other order or orders as this Hon'ble Court may deems fit, just and proper in the circumstances of the case.”

Heard Sri K.Sarath, learned counsel appearing for the petitioner and Sri Zakir Ali Danish, learned Standing Counsel appearing for the respondents.

It is the case of the petitioner that she was appointed as Office Subordinate on 1.4.1999 in the respondent-Company and now she is working as Record Assistant. Though she has

completed eight years of service in the cadre of Office Subordinate, and six years of service in the cadre of Record Assistant, the respondents are not granting Special Grade Increment on par with similarly situated persons and also not releasing the earned leave encashment. Hence, she submitted representations to the respondents on 20.12.2016 and on 23.08.2017. But, so far, no orders have been passed thereon.

Learned counsel appearing for the petitioner submits that appropriate orders be passed directing the respondents to grant Special Grade Increment in the cadre of Office Subordinate as well as in the cadre of Record Assistant on par with similarly situated persons.

Learned Standing Counsel appearing for the respondents contends that the case of the petitioner would be considered and appropriate orders would be passed on the representations submitted by the petitioner.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that ends of justice would be met if a direction is given to the respondents to consider the representations submitted by the petitioner.

Accordingly, the Writ Petition is disposed of directing the respondents to consider the representations dated

20.12.2016 and 23.08.2017 submitted by the petitioner and pass appropriate orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

29th January, 2019
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