

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.1863 of 2019

ORDER :

This writ petition is filed seeking Writ of Mandamus by directing the respondent for implementation of the Revised Pay Scales of 2015 retrospectively from 2014 to the petitioners as recommended by the 3rd respondent and forwarded to the 1st respondent, by declaring inaction of the 1st respondent as arbitrary, illegal, high-handed and contrary to law and consequently direct the 1st respondent to pass orders on the recommendations made by the 3rd respondent.

It is the case of the petitioners that they are the employees of the 3rd respondent (SETWIN) Management. They have been agitating for extending the Revised Pay Scales and that the 3rd respondent Management in its Meeting held on 03.03.2018 has resolved to extend the Revised Pay Scales to its employees and accordingly recommended the case of the petitioners to the 1st respondent, but the 1st respondent has not yet passed any orders on the said recommendations made by the 3rd respondent.

Heard Sri G. Vasantha Rayudu, learned counsel for the petitioners and the learned Government Pleader for Services-I.

Learned counsel for the petitioners contends that appropriate orders be passed in the writ petition directing the

1st respondent to pass orders on the recommendations submitted by the 3rd respondent.

On the other hand, the learned Government Pleader for Services submits that as extending the Revised Pay Scales to the petitioners involves huge financial burden, the case of the petitioners was earlier considered and rejected by the 1st respondent vide order dated 07.12.2016 and, therefore, the question of again considering the recommendations made by the 3rd respondent on 03.03.2018 would not arise. The learned Government Pleader, therefore, contends that there are no merits in the writ petition and the same is liable to be dismissed.

This Court, having considered the rival submissions of the learned counsel for the respective parties, is of the considered view that after the case of the petitioners was earlier considered and rejected by the 1st respondent on 07.12.2016, the 3rd respondent Management in its Meeting held on 03.03.2018 has resolved to extend the Revised Pay Scales to its employees by duly taking into account the dwindling staffing pattern and accordingly submitted proposals to the 1st respondent. Since the 3rd respondent has already taken a decision to extend the Revised Pay Scales to its employees and submitted proposals to the 1st respondent, it is for the 1st respondent to pass appropriate orders, either accepting or rejecting the said proposals submitted by the 3rd respondent.

Therefore, this writ petition can be disposed of directing the 1st respondent to consider the proposals submitted by the 3rd respondent to extend the Revised Pay Scales to its employees and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

04.02.2019.
Msr

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