

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.6979 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of both the parties.

This writ petition is filed seeking the following relief :-

“.... to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus by declaring the entire action of the respondents, particularly the action of the 2nd respondent in not finalizing the proposals submitted by the 1st respondent vide his letter No. A1/ 363/ 2018 dt.17.1.2019 for award of 16/ 18 years Scales in view of treating the suspension period as on duty in furtherance of earlier orders of the Erstwhile Tribunal is as highly illegal, arbitrary, unjust, improper, colourable exercise of power, and violative of all principles of natural justice including violative of orders of the Government in respect of implementation of Automatic Advancement Scheme and consequently to direct the 2nd respondent to forthwith sanction SPP Scale-I SPP Scale-I (B) (16/ 18 years scales) by duly finalizing the proposals submitted by the 1st respondent vide his letter No.A1/ 363/ 2018 dt.17.1.2019 and on that basis revise his pay and allowances including pension”.

Heard Mr.S.Satyanarayana Rao, learned counsel for petitioner and the learned Government Pleader for Services-I.

It has been contended by the petitioner that he worked as Junior Assistant and retired from service.

The grievance of petitioner is that he was placed under suspension and the respondents have not regularized the suspension period. The petitioner has submitted a representation to the respondents to regularize the suspension period and to grant 16 years and 18 years pay scales. When the request of the petitioner was not considered, the petitioner was constrained to file O.A.No.4093 of 2015 seeking the relief to grant 16 years and 18

years pay scales by duly regularizing the suspension period. The Tribunal was pleased to dispose of the O.A. vide order dated 09.03.2016 directing the 3rd respondent to pass orders on the 2nd respondent's letter dated 17.06.2015.

The petitioner further contended that on 17.01.2019 the 1st respondent has recommended the case of the petitioner to the 2nd respondent, but the 2nd respondent has not passed any orders on the said proposal submitted by the 1st respondent.

Learned counsel for petitioner contended that appropriate orders be passed in the writ petition directing the 2nd respondent to pass appropriate orders on the proposal submitted by the 1st respondent in accordance with law.

Learned Government Pleader appearing for respondents has contended that the case of the petitioner will be considered by the 2nd respondent and appropriate orders would be passed on the proposal submitted by the 1st respondent in accordance with law.

This Court, having considered the rival submissions, is of the considered view that the writ petition can be disposed of directing the 2nd respondent to pass appropriate orders on the proposal submitted by the 1st respondent on 17.01.2019 in accordance with law within a period of six 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.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 02-04-2019
Prv

