

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.7026 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 an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the respondents in not fixing the SPP II Scale with effect from 1.11.2001 in terms of G.O.(P).No.290, Finance and Planning (F.W) PC II Department dated 22.7.1993 is illegal, arbitrary, unreasonable and unconstitutional and it amounts to violation of Articles 14, 16 and 21 of the Constitution of India and contrary to law and direct the respondent to fix the SPP II Scale with effect from 1.11.2001 in terms of G.O.(P).No.290, Finance and Planning (F.W) PC II Department dated 22.7.1993 with interest in terms of the Honourable Supreme Court Judgment in Vijay L.Mehrotra and others Vs State of UP and others 2002 SCC L & S278 to the petitioner”.

Heard Mr.P.Lakshmana Rao, learned counsel for petitioner and the learned Government Pleader for Services-II.

It has been contended by the petitioner that he retired as Senior Assistant on 31.08.2013 and he is entitled for SPP-II scale with effect from 01.11.2011 in terms of G.O.(P).No.290 dated 22.07.1993. But, the respondents have not extended the SPP-II scale in terms of G.O.(P).No.290, dated 22.07.1993. The petitioner has submitted a representation to the respondents on 29.10.2015 requesting to extend SPP-II scale on completion of 24 years of service as on 31.10.2011, but the respondents have not passed any orders on the said representation nor extended the scale, to which the petitioner is entitled.

Learned counsel for petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for respondents has contended that the case of the petitioner will be considered and appropriate orders would be passed on the representation submitted by the petitioner.

This Court, having considered the rival submissions, is of the considered view that the writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 29.10.2015 and pass appropriate orders in accordance with law within a period of eight 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: 03-04-2019
Prv

