

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.13600 OF 2002

ORDER:

This writ petition is filed seeking a Writ of Mandamus, declaring the action of the respondent in not awarding the pay scale of Rs.410-625 (Revised Pay Scales of 1978) to the petitioner in the cadre of Lab Attendant with effect from the date of his initial appointment in terms of the orders passed in W.P.No.4013 of 1988 dated 21.09.1992, while extending the same benefit to the other similarly situated persons, as arbitrary, illegal, discriminatory and violative of Articles 14 and 16 of the Constitution and sought a consequential direction to the respondent to award pay scale of Rs.410-625 (Revised Pay Scales of 1978) to the petitioner in the cadre of Lab Attendant with effect from the date of his initial appointment and re-fix his pay as in the case of other similarly situated persons, with all consequential benefits.

Heard learned counsel for the parties.

It has been contended by the petitioner that initially he was appointed as Lab Attendant in the Geochemistry Department during September, 1985. The grievance of the petitioner is that the respondent is not extending the Revised Pay Scales of 1978 to him in the cadre of Lab Attendant. Therefore, the counsel for the petitioner contended that appropriate orders be passed in the writ petition directing the respondent to pay the Revised Pay Scales of 1978 with

all consequential benefits to the petitioner in the cadre of Lab Attendant in terms of the orders passed in W.P.No.4013 of 1988, dated 21.09.1992.

Standing Counsel appearing for the respondent had contended that the case of the petitioner would be considered and appropriate orders would be passed in accordance with law, if only the petitioner submits a representation afresh to the respondent.

This Court, having considered the submissions of learned counsel for respective parties, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a representation afresh to the respondent within a period of two weeks from the date of receipt of a copy of this order, staking his claim for extension of Revised Pay Scales of 1978 in the cadre of Lab Attendant from the date of his initial appointment. Upon such representation being received, the respondent shall consider the same and pass appropriate orders in another eight weeks thereafter.

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

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

24th October, 2019
v v

