

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.22984 of 2019

ORDER:

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

The writ petition is filed seeking a Writ of Mandamus declaring the action of respondents in not implementing the AICTE scales of pay as revised from time to time on par with the teaching staff working in Polytechnics, duly changing the nomenclature despite recommendations made by the 2nd respondent vide letters dated 21.09.2015 and 15.11.2017, as illegal, arbitrary, unconstitutional and violative of Articles 14 and 16 of the Constitution of India and sought consequential direction directing the 1st respondent to extend the AICTE pay scales as revised from time to time by implementing the benefits of G.O.Ms.No.948, dated 23.12.1982, to the petitioners, taking into account the recommendations made by the 2nd respondent vide letters dated 21.09.2015 and 15.11.2017, by refixing the pensionary benefits based thereon and release the arrears to the petitioners with interest.

Heard learned counsel for the parties.

It has been contended by the petitioners that they are retired Principals and that the respondents are not extending the AICTE scales of pay. Counsel for petitioners submits that the petitioners have submitted a representation to the respondents and the 2nd respondent had, in fact, recommended the case of petitioners vide letters dated 21.09.2015 and 15.11.2017 to the 1st respondent and it is the 1st respondent, who is not

passing any orders on the recommendations made by the 2nd respondent. Therefore, counsel for petitioners contend that appropriate orders be passed in the writ petition directing the 1st respondent to consider the proposals submitted by the 2nd respondent and pass appropriate orders in accordance with law.

Counsel for respondents submits that since the recommendations made by the 2nd respondent are pending with the Government, the Government would consider the same and appropriate orders would be passed thereon in accordance with law.

This Court, having considered the rival submissions made by the parties, is of the considered view that this writ petition can be disposed of directing the 1st respondent to consider the recommendations made by the 2nd respondent on 21.09.2015 and 15.11.2017 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 directions, the writ petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

28th October, 2019

ajr