

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.6817 of 2006

ORDER :

This writ petition is filed seeking Writ of Mandamus declaring the action of the respondent in reducing the petitioners' pay from Rs.8,854/- to Rs.8,699/- with effect from January, 2006 and also seeking to recover the amounts from the petitioners' salaries, as illegal and arbitrary, and consequently sought a direction to the respondent to restore the petitioners' Pay Scale as Rs.8,854/- with effect from January, 2006 and not to recover any amounts from the petitioners' salaries towards the alleged improper fixation of pay and refund the already recovered amounts to the petitioners.

Heard Sri K. Vasudeva Reddy, learned counsel for the petitioners and Sri Nandigama Krishna Rao, learned Standing Counsel for the respondent – Company.

Learned counsel for the petitioners submits that though the petitioners are discharging the regular work of Electricians/Fitters in the respondent Company, their pay was reduced from Rs.8,854/- to Rs.8,699/- with effect from January, 2006 without issuing any notice to them and excess amounts alleged to have been paid by the respondents are being recovered from the petitioners.

A perusal of the record discloses that though the petitioners contend that their pay was reduced from Rs.8,854/-

to Rs.8,699/- with effect from January, 2006, no proceedings are filed before this Court through which the pay of the petitioners was sought to be reduced. In the absence of any such proceedings, this Court cannot adjudicate the issue on merits. Further, no interim order was granted by this Court and the learned Standing Counsel for the respondent Company submits that the excess amounts were already recovered from the petitioners and, therefore, the cause in the writ petition does not survive for adjudication.

Having considered the rival submissions of the learned counsel for the respective parties, this Court is of the considered view that since no proceedings are filed in order to demonstrate that the pay of the petitioners was reduced from Rs.8,854/- to Rs.8,699/- with effect from January, 2006, this Court is not inclined to interfere in the matter by passing orders in this writ petition.

Accordingly, the writ petition is dismissed. No order as to costs.

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

JUSTICE ABHINAND KUMAR SHAVILI

28.01.2019.
Msr

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