

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.12327 OF 2002

ORDER:

This writ petition is filed seeking a Writ of Mandamus, declaring the action of the respondents in not implementing the PRC, not giving increments and not allowing the petitioner to avail surrender leave only on the ground that the petitioner has not withdrawn the writ petition for implementation of minimum wages as notified by the Government from time to time, as illegal, arbitrary and violative of principles of natural justice and sought a consequential direction to direct the respondents to implement P.R.Cs, give increments and also give permission to the petitioner to avail surrender leave with arrears.

Heard learned counsel for the parties.

It has been contended by the petitioner that initially he was appointed as Watchman, on daily wage basis, during the year 1993 under the control of the 1st respondent, and later in the year 1997, his services were regularised. The grievance of the petitioner is that though the State Government has revised the Pay Scales, the respondents are not extending him the said benefit and also not granting him the increments and not allowing him to avail surrender leave. Therefore, the counsel for the petitioner contended that appropriate orders be passed in the writ petition directing the respondents to implement P.R.Cs as revised by the Government from

time to time and further direct the respondents to pay increments to the petitioner and also allow him to avail surrender leave.

Standing Counsel appearing for the respondents had contended that the case of the petitioner would be considered and appropriate orders would be passed, if only the petitioner submits a representation afresh to the respondents staking the aforesaid claims.

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 within a period of two weeks from the date of receipt of a copy of this order, staking his claim for implementation of PRCs, grant of increments and permission to avail surrender leave. Upon such representation being received, the respondents 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

