

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.28151 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 :-

“....issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus by declaring the entire action of the respondents in not granting/ releasing periodical increments as well as PRC benefits to the petitioner on the untenable ground that the petitioner herein has not obtained any favourable orders like others is as highly illegal, arbitrary, unjust, improper, discriminatory, violative of all principles of natural justice, discriminatory and consequently to direct the respondents to forthwith release Annual Grade periodical increments as well as PRC benefits to the petitioner from the date of payment of minimum time scale like other similarly situated persons whose favour the Govt issued orders vide G.O.Rt.No.468, PR and RD (PR.II) Dept., dated 23/ 7/ 2015 G.O.Rt.No.132 PR and RD Dept dated 28/ 2/ 2017 and G.O.Rt. No.498 PR and RD Dept dated 18/ 7/ 2018 and also keeping in view the law laid down by this Honourable court in its reported Judgment in 2017 (6) ALD 638 (DB)”.

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

It has been contended by the petitioner that he is working as a NMR worker with the respondents since 1989 and the respondents have also extended minimum time scale of pay applicable to the said post.

The grievance of the petitioner is that though he has been discharging his duties for more than three decades, the respondents are not releasing the periodical increments and PRC benefits to which he is entitled to.

Learned counsel for the petitioner contends that similar issue fell for consideration before this Court in *P.KHADAR SABHA AND*

*OTHERS Vs. STATE OF A.P. AND OTHERS*¹, wherein this Court held that the persons, who have been extended minimum time scale of pay, are also entitled for grant of periodical annual grade increments. Therefore, appropriate orders be passed in the writ petition directing the respondents to extend periodical increments and also PRC benefits in favour of the petitioner by following the judgment rendered by this Court, referred to supra.

Learned Government Pleader appearing for the respondents contends that if the petitioner submits a fresh representation, the respondents would consider the same and pass appropriate orders in accordance with law.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a fresh representation to the respondents within two weeks from the date of receipt of a copy of this order seeking periodical increments and PRC benefits in terms of the judgment of this Court, referred to supra. Upon such representation being received, the respondents shall consider the same and pass appropriate orders in accordance with law within a period of eight weeks thereafter.

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

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 19-12-2019
Prv

¹ 2017 (6) ALD 638 (DB)

