

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No. 10669 of 2023

ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following reliefs:

“...to issue a Writ, order or directions, more particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondents in releasing the arrears/difference of salary w.e.f. 19.05.2014, increments, Revised Pay Scales (RPS) w.e.f. 16.07.2007, having issued Proc.Rc.No.G1/3418/2010, dated 08.11.2022 and Rc.No.G1/3418/2010, dated 13.01.2023, issued by the 2nd respondent on the basis of G.O.Rt.No.859, dated 14.10.2022, issued by the 1st respondent, inspite of petitioner representations dated 02.04.2023 & 06.04.2023, which is illegal, arbitrary, unjust, contrary to law, violation of principles of natural justice and violation of Articles 14, 16 & 21 of Constitution of India and consequently direct the respondents herein forthwith pay/release the arrears of salaries in implementing the Proc.Rc.No.G1/3418/2010, dated 08.11.2022 and Rc.No.G1/3418/2010, dated 13.01.2023 with all consequential benefits or otherwise myself and my family will suffer serious loss and great hardship and pass.” (in verbatim)

2. When the matter is taken up for hearing, learned counsel for the petitioner had produced a Memo vide Rc.No.REV05-17021/21/2023-G SEC-CSSL, dated 26.04.2023, issued by the 3rd respondent. The said memo reads as follows:

“...Sri P. Hari Krishna, AD, S&LRs, Nandyal has submitted that his probation has been declared and fixed pay w.e.f. 19.05.2014 by this office and his pay scales were revised and released increments upto the year 2023 but not released single N.P. though three months have been elapsed. Further, he stated that he is on medical leave from 02.01.2023 and requested to take steps to release the pay fixation amounts.

...it is to inform that this office has issued necessary proceedings duly sanctioning all the Annual Grade Increments, Pay Fixations and RPS'2015 & 2022 vide Prods.No:G1/3418/2010, dated 13.01.2023 and the same was communicated on 13.01.2023 to the DSLO, Nandyal for taking further necessary action. Further, as per the information ascertained from the O/o the AD, S&LRs, Nandyal, the DSLO Nandyala office has informed that the Bill was prepared and will be submitted to the DTO for passing and clearance.

3. Learned counsel for the petitioner mainly submits that a direction may be given to the respondents to implement the Memo dated 26.04.2023, issued by the 3rd respondent.

4. Learned Government Pleader for Revenue appearing for the respondents does not refute the submission made by learned counsel for the petitioner and requested three (03) months time to implement the Memo dated 26.04.2023, issued by the 3rd respondent.

5. Having regard to the submissions made by both the learned counsels, and in view of the facts and circumstances

of the case, without going into the merits of the case, the Writ Petition is disposed of directing the respondents to implement the Memo dated 26.04.2023, issued by the 3rd respondent, within a period of two (02) months from the date of receipt of a copy of this order. There shall be no order as to costs.

As a sequel thereto, interlocutory applications, if any pending, shall stand closed.

VENKATESWARLU NIMMAGADDA, J

4th May, 2023.

Note: Issue C.C. by one (01) week.

b/o

cbn

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W.P.No.10669 of 2023

4th May, 2023

CBN