

HONOURABLE SMT. JUSTICE V.SUJATHA

WRIT PETITION No.19080 of 2023

ORDER:

The present Writ Petition came to be filed under Article 226 of the Constitution of India seeking the following relief:-

“...to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus to declare the action of the respondents in not considering the case of the petitioners for notional seniority as per Rule 33 (b) and 36 (1) of A.P.State and Subordinate Rules, 1996 and in not fixing their pay as per Fundamental Rules 26 (aa) on par with DSC-2002 candidates is illegal, arbitrary and violative of Article 14, 16 and 21 of the Constitution of India and consequently direct the respondents to accord the notional seniority of the petitioners in the category of Language Pandit (Hindi) and fix their pay as per FR 26(aa) on par with candidates selected in DSC-2002 with all consequential benefits....”

2. Today, when the matter came up for admission, both the learned counsel for the petitioners and learned Government Pleader for Services-III, appearing for the respondents, submits that the subject matter of this Writ Petition is squarely covered by the orders of this Court passed in W.P.No.16297 of 2022, dated 18.07.2022.

3. The operative portion of the order in W.P.No.16297 of 2022, dated 18.07.2022, reads as follows:

“In view of the facts and circumstances, liberty is given to the petitioners to make a representation to the Government with reference to fixation of their pay in terms of FR 26 (aa) within two (2) weeks from the date of receipt of a copy of this order and thereafter the 1st respondent-State is directed to consider as well as to dispose of the same within eight (8) weeks therefrom.”

4. In view of the same, following the said order passed by this Court in W.P.No.16297 of 2022, dated 18.07.2022, this Writ Petition is disposed of in terms of thereof giving liberty to the petitioners herein to make a representation to the Government with reference to notional seniority and fixation of their pay in term of FR 26(aa) within a period of two (2) weeks from today; and on receipt of such representation from the petitioners, the competent authority is directed to examine the same strictly in accordance with relevant rules and dispose of the same, preferably within a period of eight (8) weeks thereafter. It is made clear that this Court did not go into the merits of the case and it is open to the authority to deal with the same. There shall be no order as to costs.

5. Registry is directed to attach a copy of the order dated 18.07.2022 passed by this Court in Writ Petition No.16297 of 2022 and batch to this order.

Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE V.SUJATHA

Date :31.07.2023

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HONOURABLE SMT. JUSTICE V.SUJATHA

WRIT PETITION No.190480 of 2023

Date : 31.07.2023

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