

WP(C) 2854/2010

BEFORE

HON'BLE MR. JUSTICE MICHAEL ZOTHANKHUMA

Heard Mr P Sarma, counsel for the petitioner and Ms RB Bora, Standing Counsel, B TC.

It is submitted by the counsel for the petitioner that the present matter is covered by the order dated 6.2.2015 passed by a Division Bench of this Court in Writ Appeal No. 182/2013 and other similar matters. On the other hand, Ms RB Bora, counsel for the respondent BTC submits that while the order dated 6.2.2015 speaks about persons who were appointed in the year 1999 or prior thereto, the petitioner herein was appointed only in the year 2003.

A reading of the order dated 6.2.2015 passed in Writ Appeal No. 182/2013 etc. shows that the persons to be considered were those who had received their regular salary till October, 2006. The petitioner herein having received his salary upto February, 2009, the petitioner's counsel submits that the order dated 6.2.2015 squarely applies to the present case.

After hearing the counsel for the parties at length, the counsel for the parties have agreed that the Director of Education, BTC should decide whether the petitioner's case can be disposed of in terms of the order dated 6.2.2015 passed in Writ Appeal No. 182/2013 etc.

The question as to whether the petitioner having been appointed after 1999 will be entitled to benefits in terms of the observations and directions issued vide order dated 6.2.2015 passed in Writ Appeal No. 182/2013 etc. shall be decided by the Director of Education, BTC and appropriate orders in this regard shall be passed within a reasonable period.

This order has been passed as per the consent and agreement of the counsel for the parties as stated above.

Writ petition accordingly stands disposed of. No costs.