

THE HON'BLE SRI JUSTICE M. GANGA RAO
AND
THE HON'BLE SRI JUSTICE V. SRINIVAS
W.P.Nos.4781, 1994, 1995, 2006, 5240 & 6937 of 2019

COMMON ORDER: *[per Hon'ble Sri Justice M. Ganga Rao]*

WP.Nos.2006, 6937, 4781 and 5240 of 2019 are filed against the common order dated 25.04.2018, passed by the Andhra Pradesh Administrative Tribunal in OA.Nos.617, 625, 644, 725 & 732 of 2018 insofar as they relate to OA.Nos.617, 644 and 725 of 2018 respectively.

WP.No.1994 of 2019 is filed against the order dated 20.07.2018 passed by the Andhra Pradesh Administrative Tribunal in OA.No.1429 of 2018 and WP.No.1995 of 2019 is filed against the order dated 10.08.2018 in OA.No.1602 of 2018.

Heard learned Government Pleader for Services-I appearing for the writ petitioners and Dr. P.B. Vijay Kumar, learned Senior counsel appearing for Smt A.V.S.Laxmi, learned counsel for the respondents on record.

Since the issue involved in all the writ petitions is similar, all the writ petitions are being disposed of by way of this common order.

In all the orders impugned in these writ petitions, the Tribunal disposed of the Original Applications filed by the respondents herein -

applicants with a direction to the petitioners herein/respondents therein to pass appropriate orders for payment of minimum time scale of pay attached to the post in which the respondents/applicants are working.

A co-ordinate Bench of this Court, while dealing with the similar issue in writ petitions, viz., WP.Nos.6836, 2062, 2292 and 6088 of 2019 by common order dated 03.03.2022, dismissed the writ petitions. Among the said writ petitions, WP.No.6836 and 2292 of 2019 are filed against the common order dated 25.04.2018, passed by the Andhra Pradesh Administrative Tribunal in OA.Nos.617, 625, 644, 725 & 732 of 2018 insofar as they relate to OA.Nos.625 and 732 of 2018.

By the said order, all the writ petitions were dismissed *inter alia* referring to the earlier order passed by this Court in WP.No.2949 of 2020, dated 10.02.2020, and extracting paragraph Nos.4 & 5 of the said order, which reads as follows:

“4. The State Government, obviously, with the laudable object of alleviating the difficulties of Daily wage/NMR/Consolidated workers, issued the above said Government Orders for the purpose of paying Minimum Time Scale attached to the post. In the considered opinion of this Court, the said Step is in the direction of adhering to Article 21 of the Constitution of India and the Directive Principles of State Policy.

5. A perusal of the order passed by the Tribunal demonstrates, in clear and vivid terms, that the Tribunal obviously taking into consideration the above intention of the Government, while suspending the order of

rejection, directed reconsideration and extension of benefit of Minimum Time Scale to the respondents herein/applicants. As rightly found by the Tribunal, the above referred Government Orders do not make any distinction, though they are working under a scheme. The only contingency is that one must be a daily wage worker or NMR worker or working for consolidated pay so as to claim the benefit under the 3 said Government Orders. Therefore, this Court does not find any error in the order passed by the Tribunal.”

In view of the above order passed by this Court in WP.Nos.6836 and 2292 of 2019 filed against the common order dated 25.04.2018 in OA.Nos.625 & 732 of 2018, this Court feels it appropriate to follow the said order as the facts and circumstances of the case are similar to the present cases, these Writ Petitions are dismissed.

There shall be no order as to costs.

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

M.GANGA RAO, J

V. SRINIVAS, J

31.03.2023
Vjl

THE HON'BLE SRI JUSTICE M. GANGA RAO

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W.P.Nos.4781, 1994, 1995, 2006, 5240 & 6937 of 2019

[per MGR,J]

31.03.2023

Vjl