

(2004) 11 AP CK 0024
In the Andhra Pradesh High Court
Case No : W.A. No. 1824 of 2004

A.P.S.R.T.C. and Others

APPELLANT

Vs

P. Kanakaiah

RESPONDENT

Date of Decision : 24-11-2004

Acts Referred:

Citation : (2005) 1 ALT 239

Hon'ble Judges : P.S. Narayana, J;G. Bikshapathy, J

Bench : Division Bench

Advocate : P. Rajani Reddy, for the Appellant; S.M. Subhan, for the Respondent

Final Decision : Dismissed

Judgement

G. Bikshapathy, J.—The Writ Appeal is filed against the order of the learned single Judge in W.P. No. 18236 of 2004 dated 07-10-2004.

2. The matter relates to the stagnation increments to the employees in A.P.S.R.T.C.

3. The unofficial respondent claimed stagnation increments on the ground that they had completed 12 years of service and therefore they are entitled for the same in pursuance of the settlement entered between the Management and the Union.

4. The learned single Judge allowed the writ petition basing on the judgment of a Division Bench of this Court in Writ Appeal No. 1301 of 2001, dated 29-10-2002 and it is also brought to the notice of this Court that against the order of the Division Bench the matter was carried before the Supreme Court in SLP and the Supreme Court dismissed the said S.L.P.

5. Now the learned Standing Counsel appearing for A.P.S.R.T.C. submits that the clarificatory circular dated 9-11-1989 in proceedings No. P1/93(12)/87-PD was not placed either before Division Bench or the single Judge, and hence, the matter has to be heard afresh.

6. We are afraid we cannot accept the contention raised by the learned Standing Counsel. The benefit claimed by the petitioners is on the basis of the settlement entered into between the Union and the Management and the Division Bench has categorically held that the completion of 12 years service is the sine qua non for releasing the stagnation increments irrespective of change of Division.

7. Under those circumstances, we do not find any infirmity in the order passed by the learned single Judge. The appeal is devoid of merits.

8. Accordingly, the Writ Appeal is dismissed. No costs.