

HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.19738 of 2012

-
Date: February 23, 2015

Between:

MD. Jani Pasha.

... Petitioner

and

1. The APGENCO,
rep. by its Managing Director
Hyderabad & 2 others.

... Respondents

* * *

HON'BLE SRI JUSTICE SANJAY KUMAR

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ORDER:

Though the matter is listed before this Court upon the vacate stay petition filed by the respondents, the learned counsel for both parties are agreeable to the final disposal of the matter.

2. The grievance of the petitioner was with regard to his apprehended disengagement from service by engaging outsiders/ new persons in the operation and maintenance works in Kakatiya

Thermal Power Station, Bhupalapalli, Warangal District.

3. By order dated 02.07.2012, this Court directed the respondents to consider the case of the petitioner and give preference to him in view of his previous experience.

4. In the counter-affidavit filed in support of the vacate stay petition, the Chief Engineer (O & M), APGENCO, Kakatiya Thermal Power Project, Warangal District, stated that the petitioner was engaged through a contractor and that there is no subsisting master/servant relationship between him and the respondents. He however stated that the contractors were asked not to discontinue the services of the existing contract labour by replacing them with other temporary employees except on the ground of misconduct. The Chief Engineer further stated that the APGENCO had issued recruitment notification dated 05.01.2011 and supplementary notification dated 17.10.2011 proposing to fill up newly sanctioned posts prescribing 10 service weightage marks for existing contract workers who would compete for such posts.

5. Thus, as matters stand, it is for the petitioner to apply in response to the future notifications that may be issued by the APGENCO, if he has not already applied in response to the notifications aforesaid, and aspire for a regular post on the basis of his eligibility. Needless to state, he would be entitled to service weightage as per the norms.

6. The writ petition is accordingly closed. Pending miscellaneous petitions shall also stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J.

Date: February 23, 2015.

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HON'BLE SRI JUSTICE SANJAY KUMAR

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