

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

-
WRIT PETITION No.1548 OF 2015

ORDER:

The petitioners herein seek a Writ of Mandamus in not absorbing them as Mazdoors and rejecting their candidature in that regard on 25/28.07.1998 is bad in law.

The petitioners claimed that they were engaged as casual labour. Earlier on 23.04.1998 an order has been passed in so far as the 3rd petitioner herein is concerned with reference to the interim order passed by this Court on 21.10.1997 in W.P.No.27175 of 1997 directing the case of the petitioner also to be considered along with all others. When he attended to the interview conducted by the selection committee on 24.10.1997 it is found by the selection committee that he failed to clear the Meter reading test. Similarly, the other petitioners have also failed to clear the test as they did not produce the age certificate. However, learned counsel for the petitioners placed reliance upon the judgment rendered by this Court on 27.06.2005 in W.P.No.12264 of 1998 holding that since the petitioners in that case have no technical expertise as to the meter reading, the respondents in that case are directed to conduct the meter reading test or any other test intimating the same to the petitioners in advance as to the nature of the test they are supposed to undergo and consider their case on the basis of the merit as well as the terms and conditions of the appointment.

I am afraid, this writ petition does not have any merit. The petitioners claimed to be Ex-casual labour of the Electricity Board, their candidature for absorption/appointment as Mazdoors has been rejected in April/July-1998. At this distant point of time, the respondents cannot be directed to re-examine the entire matter.

Further, the judgment rendered in W.P.No.12264 of 1998 is not rested upon any principle except on the ground that the petitioners in that case are not having technical knowledge. Therefore, it is not proper for this Court to pass any orders for absorption of the petitioners at this distant point of time.

The vacancies available with the respondents have already been filled up and they cannot go on and conduct those tests repeatedly. Therefore, for the sheer delay and latches on the part of the petitioners for not approaching the Court in time but preferring to approach this Court nearly after lapse of 16 years, cannot be countenanced. Hence, for the aforesaid reasons this writ petition stands dismissed. No order as to costs.

All the miscellaneous petitions pending in this writ petition shall stand closed.

JUSTICE NOOTY RAMAMOHANA RAO

02.02.2015

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