

THE HON'BLE MR JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE MR JUSTICE A. RAMALINGESWARA RAO

Writ Appeal No. 1268 of 2006

-

ORDER: *(Per the Hon'ble Mr. Justice Dilip B. Bhosale)*

This writ appeal is preferred by the A.P.S.R.T.C. against the order dated 26-07-2006 passed in Writ Petition No.25650 of 1997 whereby the said petition filed by the respondent-employee was allowed. The concluding paragraph of the impugned order reads thus:

“For the above reasons, the Writ Petition is allowed and the respondents-corporation is directed to regularize the services of the petitioner till such time the post is abolished and thereafter as per the rules to absorb the petitioner in the appropriate post. Since pursuant to the direction given by this Court the petitioner has been paying the remuneration, there shall be no separate order as regards the payment of back wages.”

It appears from the observations made in the order that there was a direction to pay to the respondent-employee the scale of regular employee during the pendency of writ petition. At the time of disposal of the writ petition i.e. on 26-07-2006, hardly two more years service of the petitioner was left. In other words, he retired in 2008 itself. It is not in dispute that he was paid the scale of regular employee, as long as he was in service. In view thereof, as has been rightly submitted, the appeal has rendered infructuous. The appeal is accordingly disposed of as infructuous.

The miscellaneous petitions, if any, also stand disposed of. No

costs.

DILIP B. BHOSALE, J.

**A. RAMALINGESWARA RAO,
J.**

Dt.05-02-2015.

KO