

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.6230 of 2005

ORDER:

The petitioner seeks compassionate appointment in the service of the Andhra Pradesh State Road Transport Corporation (APSRTC) as a Conductor or Shramik or in any other suitable post. By proceedings dated 09.12.2004, his request for such compassionate appointment was rejected. Aggrieved thereby, he is before this Court.

Perusal of the proceedings dated 09.12.2004 reflects that the only ground for rejection of the petitioner's case for compassionate appointment was that the policy at that point of time required the APSRTC to offer additional monetary benefit in lieu of employment to the family of the bread winner. It is not in dispute that the petitioner's father worked as a Driver at Siricilla Depot of APSRTC and died in harness on 30.06.2003. His family however did not accept the additional monetary benefit referred to supra.

Heard Sri A.Tirupathi Reddy, learned counsel for the petitioner, and Sri A.Ravi Babu, learned standing counsel for the Telangana State Road Transport Corporation, the successor-in-interest of the erstwhile APSRTC in the State of Telangana.

Admittedly, there was a policy change insofar as compassionate appointments are concerned and the Government of Andhra Pradesh issued G.O.Ms.No.2, Transport, Roads and Buildings (TR.II) Department, dated 05.01.2013 in this regard. Pursuant thereto, the APSRTC issued proceedings dated 20.06.2013 stipulating the modalities for effecting compassionate appointments in terms of the said G.O.

Sri A.Tirupathi Reddy, learned counsel, stated before this Court that the petitioner would fulfil the requirements stipulated thereunder for appointment to the post of Driver Grade – II.

As the only ground for rejection of the petitioner's case in the year 2004 was the policy prevailing at that point of time and as the said

policy has given way to the present Bread Winner Scheme which is being implemented with retrospective effect in relation to employees who died in harness between the dates 01.01.1998 to 31.12.2010, the petitioner is permitted to make an application afresh seeking compassionate appointment, duly supported by all the necessary documents. On such an application being filed, the Telangana State Road Transport Corporation shall consider the case of the petitioner for compassionate appointment in terms of the present policy and in the event the petitioner is found to fulfil the requisite conditions for being appointed to any suitable post, extend him such appointment. This exercise shall be completed expeditiously and in any event not later than four weeks from the date of receipt of such representation.

The writ petition is disposed of with the above directions.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date:30.10.2015

GJ