

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

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For the State of Telangana and the State of Andhra Pradesh

WP NO. 26170 of 2015

Between

K. Subba Reddy

.. Petitioner(s)

And

The APSRTC and others

.. Respondent(s)

DATE OF JUDGMENT PRONOUNCED: 19.8.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE R. KANTHA RAO

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|---|--------|
| 1. Whether Reporters of Local news papers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE R. KANTHA RAO

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Order :

Heard Sri P. Govinda Rajulu, learned counsel for the petitioner and Sri P. Durga Prasad, learned Standing Counsel for the respondent-Corporation.

The petitioner was appointed as a contract driver in the respondent-Corporation in the year 2005 in the 2nd respondent region. While so, on the allegation that he was unauthorizedly absent for the duties from 24.12.2007 to 9.8.2008 his services were terminated by order dated 9.1.2008. According to the petitioner, his services were terminated without conducting any enquiry. Questioning the termination order dated 9.1.2008, the petitioner preferred an appeal before the 2nd respondent-appellate authority on 24.1.2008. The 2nd respondent-appellate authority allowed the appeal and passed orders dated 12.4.2008 directing the respondents to re-engage the petitioner as contract driver afresh and granted seven days time to the petitioner to join the duties.

It is submitted on behalf of the petitioner that due to ill-health of his parents, he could not join the duty within the reasonable time granted by the appellate authority, and in the month of July 2008 he approached the 4th respondent and submitted a representation with a request to engage him as driver on contract basis as per the proceedings of the 2nd respondent. But the 4th respondent did not re-engage the petitioner as contract driver on ground that his case file was returned to the 2nd

respondent's office due to delay in reporting to duty. The version of the petitioner is that due to unavoidable circumstances, he could not report to the duty at appropriate time and he made a written representation in the month of December 2008 also to the 4th respondent with a request to re-engage him as contract driver. So far no action was taken on the said representation. Again the petitioner claims to have submitted a representation on 25.10.2013 to the 2nd respondent with a request to consider his case, but the same was also not considered.

Having regard to the submissions made by the learned counsel on either side, the writ petition is disposed of directing the 2nd respondent to consider the representation submitted by the petitioner dated 25.10.2013 whereunder he sought for re-engagement as contract driver as per the orders in the appeal and pass appropriate orders thereon within a period of eight weeks from the date of receipt of copy of the order. No order as to costs. The Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R.KANTHA
RAO

Date:19.8.2015
kk

THE HON'BLE SRI JUSTICE R. KANTHA RAO

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