

THE HON'BLE SRI JUSTICE G. CHANDRAIAH

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AND

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THE HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

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WRIT PETITION No. 2268 of 2016

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ORDER: (per Hon'ble Sri Justice G. Chandraiah)

Orders dated 23.04.2015 passed by the Andhra Pradesh Administrative Tribunal (for short, 'the Tribunal') in O.A No.2099 of 2015 are challenged.

2. Brief facts of the case are as follows:

The petitioner-applicant is a Cook in Government Boys Hostel, Gullaseetharamapuram, Santhakaviti mandal, Srikakulam district. He was appointed on 11.09.1987 on daily wage basis. When his services were terminated without any notice and without paying compensation, he approached the Industrial Tribunal-cum-Labour Court, Visakhapatnam, (for short, 'the Labour Court') by way of filing I.D.No.24 of 1995. The Labour Court, by its Award dated 23.09.1998 directed the management to reinstate the applicant with full backwages and continuity of service. Against the said Award of the Labour Court, the applicant filed W.P.No.19614 of 1999, and the management filed W.P.No.22414 of 1999. This Court, by a Common Order dated 30.12.2008, disposed of both the writ petitions by modifying the Award passed by the Labour Court to the extent of limiting the backwages to 50%. Subsequently, the applicant approached the Tribunal, by way of filing O.A.No.2099 of 2015, seeking the relief of regularisation of his services under G.O.Ms.No.212, Finance & Planning (FW PC III) Department, dated 22.04.1994. The Tribunal, by the impugned orders, dismissed the O.A. Hence, this writ petition.

3. Heard learned counsel for the petitioner and the learned Government Pleader for Social Welfare (A.P).

4. Learned counsel for the petitioner submits that though the petitioner was reinstated, till date his services are not regularised as per G.O.Ms.No.212, Finance & Planning (FW. PC. III) Department, dated 22.04.1994. Learned counsel submits that this Court while disposing of the W.P.No.19614 of 1999 and W.P.No.22414 of 1999 by Common Order dated 30.12.2008, observed that Exs.W1 and W2 filed by the petitioner relate to the proceedings dated 27.07.1994, issued by the Deputy Director, Social Welfare, Srikakulam, for regularising the services of the petitioner. Learned counsel further submits that the respondents have not regularised the services of the petitioner in spite of submitting representations and the Tribunal ought to have directed the respondent authorities to consider the representations of the petitioner for regularising his services in terms of G.O.Ms.No.212, dated 22.04.1994.

5. In view of the submissions made, we deem it appropriate to dispose of the writ petition with a direction to the respondent authorities to consider the representations of the petitioner for regularisation of his services as per G.O.Ms.No.212, Finance & Planning (FW. PC. III) Department, dated 22.04.1994, and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this order.

6. The writ petition stands disposed of, accordingly. No costs. Miscellaneous petitions, if any pending, shall stand closed.

G. CHANDRAIAH, J

U. DURGA PRASAD RAO, J

29th January, 2016
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THE HON'BLE SRI JUSTICE G. CHANDRAIAH

AND

THE HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

WRIT PETITION No. 2268 of 2016

29th January, 2016

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