

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.33046 of 2012

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking verbatim the following relief/s:

“...to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the respondents in denying the service benefits to the Petitioners with effect from 06.12.1996 as contemplated in B.P.Ms.No.326, dated 14.03.1998 and computing their services from 02.10.1999 while allowing service benefits to all other similarly placed absorbed persons with effect from 06.12.1996 as per B.P.Ms.No.326 dated 14.03.1998 as highly, irregular, illegal, arbitrary and violative of Article 14 of the Constitution of India and also against the orders passed by this Hon'ble Court in WP.No.2179 of 2006 dated 19.11.2010 and consequently direct the respondents to allow the same benefit as per directions contained in the said orders; and pass such other order or orders...”

2. When this matter is taken up for hearing, Sri P. Ravi Shanker, learned counsel for the petitioners, and Ms.K.Aruna, learned Standing Counsel for APGENCO representing the respondents, are in agreement that the issue involved in the present writ petition is squarely covered by the order of this Court, dated 16.07.2018, in W.P.No.12747 of 2012. A copy of the said order is placed on record.

3. Having regard to the facts & submissions and for the reasons alike as were mentioned in the afore-stated order, dated 16.07.2018, this Writ Petition is also disposed of in terms of the said order. The undertakings given by the petitioners that they

would forego their seniority with effect from 06.12.1996 and would not claim notional seniority are recorded. As a sequel to this order, the respondents shall regularise the services of the petitioners with effect from 06.12.1996 and count the services of the petitioners on regular basis with effect from 06.12.1996 for the purpose of retiral benefits and purposes of pension only and further allow them pecuniary benefits with effect from 09.12.1997, as were allowed to other contract labourers as per the Scheme *vide* B.P.Ms.No.326.

4. The Registry is directed to enclose a copy of the order of this Court, dated 16.07.2018, passed in W.P.No.12747 of 2012, to this order.

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

08.08.2018
Vjl

M. SEETHARAMA MURTI, J

