

**THE HON'BLE SRI JUSTICE A.V. SESA SAI**

**WRIT PETITION No.3875 OF 2003**

**ORDER:**

This writ petition, filed under Article 226 of the Constitution of India, prays for a direction to the respondents to regularize the services of the petitioner in the post of lecturer in Electronics with effect from 18.09.1987 or from 01.04.1991, with all consequential benefits.

2. Heard the learned counsel for the petitioner, learned Government Pleader for Higher Education for the respondents 1 to 3 and Sri N.Venkateswar Reddy for the 5<sup>th</sup> respondent, apart from perusing the material available before the court.

3. According to the petitioner, he was initially appointed as a part-time lecturer in the 5<sup>th</sup> respondent college on 18.09.1987 in the faculty of Physics and Electronics and vide G.O.Ms.No.247, Education, dated 04.07.1991, the post against which the petitioner herein was holding was admitted to grant-in-aid with effect from 01.04.1991. The State Government, issued orders vide G.O.Ms.No.302, dated 23.08.1991, formulating a scheme for regularization of part time lecturers working in the private colleges. Questioning the inaction on the part of the respondents in not giving effect to the said governmental order, petitioner herein filed W.P.No.7241 of 1997 before this Court. This Court, on

30.04.2007, passed an order in W.P.No.7241 of 1997, directing the respondents to consider the case of the petitioner, in the event of fulfilling the requirements, as contemplated in G.O.Ms.No.302, dated 23.08.1991.

4. In pursuance of the said orders, the Director of Collegiate Education, Andhra Pradesh, Hyderabad, vide proceedings Rc.No.351/PC.1.3/97-98-6, dated 27.02.1998, directed regularization of the services of the part time lecturers including the petitioner herein prospectively. The said order passed by the Director of School Education – 2<sup>nd</sup> respondent herein, to the extent of granting benefit prospectively only, is under challenge in the present writ petition.

5. According to the learned counsel for the petitioner, the order dated 27.02.1998, issued by the 2<sup>nd</sup> respondent, ordering regularization of the services of the 4<sup>th</sup> respondent prospectively only and not from the date on which he was appointed as part-time lecturer i.e., on 18.09.1987 or from 01.04.1991 i.e., the date on which the post in which the petitioner is working was admitted to grant-in-aid is arbitrary, illegal and violative of Article 14 of the Constitution of India. No counter affidavit is filed by the respondents herein, opposing the writ petition.

6. During the course of hearing, it is submitted by the learned counsel for the petitioner that in identical set of

circumstances, this Court in W.P.No.8015 of 2004, directed the respondents therein to regularize the services of the petitioners therein from the date on which the posts which they were holding were admitted to grant-in-aid and a copy of the said order dated 28.03.2014, passed by this Court is placed on record by the learned counsel for the petitioner.

7. A perusal of the said order shows that the petitioners therein assailed the action of the respondents therein in not regularizing their services from the date on which the posts in which they were working were admitted to grant-in-aid. In the penultimate paragraph of the said order, this Court directed the respondents therein to regularize the services of the petitioners therein from the date on which the posts which the petitioners therein were holding were admitted to grant-in-aid and directed to release all consequential benefits and attendant benefits.

8. Following the above said order and for the reasons recorded therein and having regard to the submissions made by the learned counsel for the petitioner, this writ petition is allowed, directing the respondents herein to regularize the services of the petitioner with effect from 01.04.1991 i.e., the date on which, the post was admitted to grant-in-aid, with all consequential benefits including service and monetary benefits. This exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

09. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

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**A.V.SESHA SAI, J**

**28.12.2016**

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