

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
WRIT PETITION No.27435 of 2016

ORDER:

The petitioner was appointed as night watchman on 01.03.2016 in 33/11 K.V.Substation on contract basis on a monthly salary of Rs.8,342/- . He was appointed by a contractor who entered into a contract on 01.08.2015 and his contract ended on 31.03.2016. The fifth respondent is appointed as a new contractor. It is the allegation of the petitioner that the fourth respondent was asking him to stop from attending to duties without issuing any written order. The petitioner states that the fourth respondent is directing to stop attending to duties on the instructions of the local MLA and he has a legal right to continue in the work. In those circumstances, the present Writ Petition is filed.

Learned Standing Counsel for the respondents submits that the petitioner is not allowed to do the work as there is a change in the contractor.

Since the petitioner was appointed by the earlier contractor, whose term came to an end on 31.03.2016, and the fifth respondent was appointed in his place, it is for the fifth respondent to continue the services of the petitioner, if he so chooses. The fourth respondent cannot direct the discontinuance of the services of the petitioner. In the absence of any written order from the fourth respondent, this Court is not inclined to examine the issue raised by the petitioner in the present Writ Petition.

The Writ Petition is, therefore, liable to be dismissed. The dismissal of the present Writ Petition will not disable the fifth respondent from engaging the services of the petitioner, if the fifth respondent so chooses.

The Writ Petition is, accordingly, dismissed with the above

observations. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

24.08.2016

vs