

**THE HON'BLE SRI JUSTICE R. SUBHASH REDDY
AND
THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA**

-
WRIT APPEAL No.37 OF 2016
AND
WRIT APPEAL No.63 OF 2016

-
COMMON JUDGMENT: (Per Hon'ble Sri Justice R. Subhash Reddy)

These appeals are filed by the petitioners in W.P.No.24753 of 2015 aggrieved by the orders, dated 07.01.2016, passed in W.V.MP.Nos.3411 and 4921 of 2015 by the learned single Judge, vacating the interim order, dated 10.08.2015, passed in W.P.MP.No.32131 of 2015 in the said Writ Petition.

Appellants were recruited as Conductors in Road Transport Corporation. Thereafter, on temporary basis, they were appointed as Junior Assistants (Material/Purchase) and they were working as such. As their services were not regularised in the cadre of Junior Assistant, they filed a Writ Petition and pursuant to the orders passed by this Court, their claim was considered and rejected on the ground that there is no provision for appointment of Conductors to the post of Junior Assistants. Aggrieved by the same and subsequent selection process, the appellants filed the present Writ Petition. In the present Writ Petition, this Court, by order, dated 10.08.2015, directed the respondent - authorities to

continue the appellants in the same posts until further orders. Aggrieved by the same, the present vacate petitions are filed and the learned single Judge, by impugned orders, dated 07.01.2016, allowed the vacate petitions.

In this appeal also, learned counsel for the appellants mainly relied on the Circular instructions issued by the Corporation, but at the same time, it is not in dispute that regularisation and promotion to the post of Junior Assistant are governed by Statutory Regulations framed under Road Transport Corporation Act. In the Regulations, there is no channel for promotion to the post of Junior Assistant from the post of Conductor. It is true that in view of the requirement, on temporary basis, the appellants were posted as Junior Assistants, but that will not confer any right on them to continue as such, when the respondent – authorities are filling up the posts by following the Regulations. In the absence of any feeder channel from the post of Conductor to that of Junior Assistant, we do not find any merit in these appeals, so as to interfere with the impugned orders passed by the learned single Judge.

Accordingly, the appeals are dismissed. Miscellaneous Petitions, if any, pending in these appeals, shall stand closed. No costs.

R. SUBHASH

REDDY, J

A. SHANKAR

NARAYANA, J
January 22, 2016
MD