

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.15976 OF 2006

ORDER:

No representation for the petitioner.

The writ prayer is for Mandamus declaring the inaction in considering the case of petitioner for appointment to the post of Junior Lineman, as illegal, unjust and contrary to the reported judgment in U.P. State Road Transport Corporation and another v. U.P.Parivahan Nigam Shishukhs Berozgar Sangh and others.¹

On 01.08.2006, interim directions were granted directing respondents to consider the case of petitioner for appointment to the post of Junior Lineman by applying the principles laid down by the Supreme Court in U.P. State Road Transport Corporation's case (supra).

The 2nd respondent filed counter affidavit. Paragraph 4 reads as follows:

"Though the petitioner was not an Existing Contract Labour in the Respondent Organization, in obedience to the orders of the Hon'ble High Court of A.P., Hyderabad W.P.M.P.No.19911/06 in W.P.No.15976/06, Dated 01.08.2006 filed by Sri M.Venkat Reddy, the respondent Organization bent upon to issue call letter to the petitioner vide. No.SE/ O/ NLG/ ADM/ U1/ D.No.351/ 01/ 07, Dt.21.05.2007, but the petitioner did not pass the Pole Climbing test which was the main eligibility criteria for consideration for appointment to the post of Contract Junior Lineman and hence the candidature of the petitioner was not considered and rejected for

¹ AIR 1995 SC page 1115

appointment to the post of Contract Junior Lineman. The same was intimated the petitioner through Speaking Orders vide Lr.No.SE/OP/NLG/ADM/U3/D.No.912/2007, Dt.13.08.2007.”

From the above, the grievance of petitioner does not subsist and accordingly the writ petition is dismissed. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

S.V.BHATT, J

Date:31.08.2016
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