

**THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY**

**WRIT PETITION No.5000 of 2005**

**ORDER:**

1       Petitioner filed the present Writ Petition seeking a writ of mandamus declaring the action of the Respondents 1 to 3 in permitting the 4<sup>th</sup> Respondent to engage private workers on the Dock work done at EQ-8 and EQ-9 Berths at Visakhapatnam Port without engaging the Registered Dock Workers in accordance with the Act 9 of 1948 and to issue a consequential direction to forbear the 4<sup>th</sup> respondent from engaging any private Labour on the Berths EQ-8 and EQ-9 except the Dock Workers and pass such other order or orders.

2       The learned counsel for the petitioner submitted that the 3<sup>rd</sup> respondent herein was merged with Visakhapatnam Port Trust, which is at present called as Cargo Handling Division of Visakhapatnam Port Trust. He further submitted that in view of the changed circumstances, the cause of action does not survive in this Writ Petition and hence the same may be closed.

3       In view of the submissions made by the learned counsel for the petitioner, the Writ Petition is closed. However, closure of the present Writ Petition does not preclude the petitioner to avail the remedies available to them under law. As a sequel, the miscellaneous petitions, pending in this Writ Petition, if any, shall stand closed.

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**T. SUNIL CHOWDARY, J.**

Date: 26.02.2016

***Kvsn***