

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

WRIT PETITION Nos.4304, 4307 and 4352 of 2016

COMMON ORDER:

Heard, Sri A. Jagan, learned counsel for the petitioners and learned Standing Counsel for the respondents.

When the matters are called, it is submitted by learned counsel for the petitioners that the issue in the present writ petitions is squarely covered by a common order of this Court in writ petition Nos.36337 of 2015 and batch, dated 29-01-2016 and a copy of the same is also filed along with the writ petition as material paper. Following the said order and for the reasons recorded therein, this writ petition is also allowed with the following order:

The points are answered in favour of the petitioners. The writ petitions are allowed. The following directions are issued:

1. All the drivers who are not assigned work after they were declared as medically unfit are entitled to pay and allowances attached to the post of Driver till they were retired from service/alternative job is provided to them. They shall be paid arrears of pay and allowances with 8% interest from the due date till the date of payment. This direction is general and applicable to all Drivers. The Corporations shall undertake review of all such claims and shall ensure that no driver is denied pay and allowances on this issue. The order shall be complied within eight (8) weeks from the date of receipt of a copy of the order.

2. Petitioners and all Drivers who are declared as unfit to drive on account of 'acquiring disability' while in service are entitled to provision of alternative job as a matter of course. The

Corporations shall endeavour to provide alternative job of the same status. For any reason, alternative job of the same status is not possible and the drivers are adjusted in any other post, they shall be paid the same pay and allowances as were paid to them as Drivers including the annual increments.

3. If alternative job cannot be provided; the Drivers shall be kept in a supernumerary post until a suitable post is available or till he attains the age of superannuation whichever is earlier and shall be paid pay and allowances of the post of Drivers until they attained the age of superannuation.

4. These directions are applicable to all similarly situated drivers.

Miscellaneous Petitions pending, if any, shall stand closed.
There shall be no order as to costs.

A.V. SESA SAI, J

March 01, 2016

*Note: Issue C.C. in
five (5) days. B/o.Pn*

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