

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

WRIT PETITION No.42406 of 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, for the following relief:

“To issue Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying the salary from 10.09.2014 to 06.08.2015 and not fixing the pay of the petitioner in the post of driver as illegal, arbitrary and contrary to the provisions of the APSRTC service Regulations and Act 1 of 1996 persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and as well as Fundamental Rights guaranteed under the Constitution of India and consequently direct the respondents to pay the salary from 10.09.2014 to 06.08.2015 and to fix the pay in the cadre of driver and pay the arrears of salary and all other attendant benefits to the petitioner.”

2. It is represented by the learned counsel for the petitioner as also Sri A.Ravi Babu, learned Standing Counsel for the respondent Corporation that the issue in the present writ petition is squarely covered by the orders of this Court dated 30.10.2012 passed in W.P.No.31126 of 2012, which reads as under:

“2. The issue is no longer *res integra*. A copy of the order dated 29.03.2012 passed by this Court in W.P. No.7358 of 2012 is placed on record indicating that in a similar situation this Court granted relief to a contract Driver who failed to report for duty within the time stipulated. By the said order, this Court directed the APSRTC to re-engage the petitioner therein on contract basis afresh.

3. For reasons alike, this writ petition is disposed of directing the APSRTC to provide employment to the petitioner as a contract Conductor afresh. W.P.M.P. No.39680 of 2012 no longer survives for consideration in the light of this final order and is accordingly dismissed. No order as to costs.”

3. Following the above said order and for the reasons recorded therein, this Writ Petition is also disposed of, in terms thereof. Miscellaneous Petitions pending, if any, shall stand closed. There shall

be no order as to costs.

A.V. SETHA SAI, J

Date:27.04.2016

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Dated 27th April 2016

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