

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.9608 and 20350 of 2012

Date : 19.1.2016

Between :

Vaddem Bhanu Prasad S/o Manmadha Rao
Aged about 34 yrs
Budidampadu, Khammam district and others

Petitioner

And

The Transmission Corporation of Telangana Ltd
Rep by its CMD, Vidyut Soudha, Somajiguda, Hyderabad and others

Respondents

The Court made the following:

HONOURABLE SRI JUSTICE P. NAVEEN RAO

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COMMON ORDER:

Petitioners are internal candidates working on contract basis. In response to the recruitment notification issued by the respondent corporation dated 14.12.2011, petitioners participated in the selections to the post of Junior Linemen. There is no dispute regarding their eligibility so far as educational qualification is concerned. Petitioners challenge the weightage system evolved by the respondent corporation for internal candidates. According to the recruitment notification, total marks earmarked for selection is 100, out of which 45 are earmarked as weightage for service rendered on contract basis. The weightage is calculated on successful completion of 180 days and for each 180 days service successfully completed, candidate gets 5 marks to the maximum limit of 45. The grievance of the petitioners necessitating institution of the writ petition is that though petitioners have rendered longer service, on account of restriction imposed on the weightage marks without making a distinction based on the length of service, the petitioners are put to disadvantage. Case of the petitioners is that they ought to have been given more weightage since they have put in longer service and gained more experience as compared to other candidates.

2. The subject matter of the writ petition is no more res-integra. This issue has come up for consideration before this Court in W P No. 3753 of 2012 and batch. Learned single Judge of this Court gave series of directions, one of such directions relate to weightage of marks that can be given to in-service candidates. In W A No. 110 of 2014 and batch filed against above judgment, the Division Bench held that eligible contract labour be awarded 2 marks for each completed block of six months of service subject to maximum of 20%. It is brought to the notice of this Court that subsequently by order dated 25.7.2014 in WAMP No. 2411 of 2014 in W.A. No. 188 of 2014, para 11 (b) of the order of the Division Bench is modified and weightage for every six months of completed service is reduced to 1 instead of 2. After modification, the operative portion of order of the Division Bench reads as under:

11. We, therefore, dispose of the writ appeals, with the following directions:

(a) The restriction of marks for weightage for the service candidates to 20% as directed by the learned single Judge, is upheld.

(b) The contract labour, who are otherwise eligible to apply, **shall be awarded '1' marks for each completed block of six months of service subject to maximum of 20%.**

(c) The other directions issued by the learned single Judge are affirmed and upheld.

(d) A fresh written test shall be conducted by the respective Discoms for the respective posts for '80' marks, by informing all the applicants at least four (4) weeks in advance before conducting of the examinations.

(e) The entire process shall be completed within a period of six (6) months from today. There shall be no order as to costs. Miscellaneous petitions, if any, shall stand closed.

3. Learned counsel for petitioners as well as learned standing counsel for respondent corporation agrees that the issue raised in these writ petitions is covered by the decision of the Division Bench of this Court in W.A. No. 110 of 2014 and batch as amended vide order dated 25.7.2014 in WAMP No. 2411 of 2014 in W.A. No. 188 of 2014.

4. Very same recruitment was subject matter of the decision in above writ appeals. In the circumstances, following the decision of the Division Bench in W.A. No. 110 of 2014 and batch as amended vide order dated 25.7.2014 in WAMP No. 2411 of 2014 in W.A. No. 188 of 2014, the writ petitions are disposed of directing the respondents to determine the eligibility of the petitioners by assigning weightage of marks at the rate of one mark for each completed block of six months of service subject to maximum 20% for internal candidates.

If petitioners are eligible in accordance with such determination, they shall be given appointment orders by following due procedure. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE:19.1.2016
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HONOURABLE SRI JUSTICE P. NAVEEN RAO

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