

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE G.SHYAM PRASAD

WA.No.764 of 2016

Date:29.8.2016

Between:

V.V.N.Hari Krishna,
S/o V.V.Rama Mohan Rao

..... Appellant

And:

The State of A.P., reptd by its
Principal Secretary, Animal
Husbandry and Dairy Development
Department, Hyderabad and two others.

....Respondents

Counsel for the appellant: Mr. K.Ramakoteswara Rao

Counsel for the respondents: None appeared

The Court made the following:

JUDGMENT: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The appellant, who is a post-graduate in Micro Biology, was unsuccessful in Writ Petition No.37868 of 2014 filed for a *Mandamus* to direct the respondents to continue him as Teaching Assistant in respondent No.2-college, filed this Writ Appeal.

The undisputed facts are that the appellant was appointed as Veterinary Teacher on contract basis in the year 2007; that as the contract period expired with effect from 01.10.2011, a fresh contract was entered on the said date, whereunder the appellant was engaged for 175 days which expired on 23.3.2012; and that, it is agreed in the contract that the contract is purely temporary and it is liable to be terminated on the expiry of 175 days or even earlier than that, if his services were found not satisfactory. The learned single Judge placed reliance on various judgments of the Supreme Court in *State of Orissa Vs. Chandra Sekhar Mishra*¹, *Satish Chandra Anand Vs. Union of India*², *Parshotam Lal Dhingra Vs. Union of India*³, *GRIDCo Limited and another Vs. Sri Sadananda Dolio and others*⁴ and *Shrilekha Vidyarthi and others Vs. State of U.P. and others*⁵ and held that

¹ (2002) 10 SCC 583

² AIR 1953 SC 250

³ AIR 1958 SC 36

⁴ AIR 2012 SC 729

⁵ (1991) 1 SCC 212

an employee engaged on contract basis has no indefeasible right for being continued after the expiry of the contract period.

In our opinion, the order of the learned single Judge based on sound reasons and the settled legal position does not call for interference by us in exercise of Letters Patent jurisdiction.

For the afore-mentioned reasons, the Writ Appeal is dismissed.

As a sequel to dismissal of the Writ Appeal, WAMP.No.1893 of 2016 filed by the appellant for interim relief is dismissed as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

JUSTICE G.SHYAM PRASAD

29th August 2016

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