

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.23481 OF 2000

ORDER:

1. This writ petition is filed by the petitioners seeking to issue a mandamus declaring the action of the respondents in not taking steps in pursuance of their representations dated 26.9.1998 and 11.11.1998 with regard to the regularization of their services from the date of initial appointment.
2. Heard Sri V. Mallik, learned Counsel for the petitioners and Sri P. Durga Prasad, learned Standing Counsel for APSRTC.
3. It is the case of the petitioners that earlier they filed a writ petition in W.P.No.9809 of 1990 with an identical prayer i.e., to regularize their services with effect from 1.11.1986 and the Hon'ble Division Bench of this Court by order dated 29.4.1997 disposed of the said writ petition while directing the petitioners to make a fresh representation to the Management and also directing the respondents to consider such representation, if any made, and dispose of the same in accordance with law, within a period of three months from the date of such representation. Further, it is the case of the petitioners that in compliance with the orders passed by the Hon'ble Division Bench, the petitioners submitted representations to the respondents on 26.9.1998 and 11.11.1998 requesting to regularize their services from the date of their initial appointment in the Corporation. But no action has been taken so far on their representations by the respondents.
4. The respondents have filed a counter-affidavit contending various aspects as to the fact that mere completion of 240 days would not make

the petitioners entitled for permanent absorption in the Corporation and their services cannot be regularized on mere completion of 240 days.

5. The fact remains undisputed is that the respondents have not disposed of the representations submitted by the petitioners in compliance with the orders passed by this Court in W.P.No.9809 of 1990. Therefore, a direction can be given to the respondents to dispose of the said representations.

6. In the above circumstances, the respondents are directed to pass appropriate orders on the representations submitted by the petitioners on 26.9.1998 and 11.11.1998 as directed by this Court in the order dated 29.4.1997 in W.P.No.9809 of 1990, within a period of two months from the date of receipt of a copy of this order. The petitioners are also at liberty to submit their representation setting out their claims for regularization on par with similarly situated persons. The respondents are directed to consider the latest representation of the petitioners also, while disposing of the earlier representations, which were filed way back in the year 1998.

7. With the above directions, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

(ABHINAND KUMAR SHAVILI, J)

Dated: 10th November, 2017
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