

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 19853 of 2003

ORDER:

This writ petition is filed seeking a direction to the respondents to consider the case of the petitioners for appointment/ absorption as Junior Linemen, since they have been working for more than 12 years, with all consequential benefits.

2. Heard Sri S. Gopal Rao, counsel for the petitioners and Smt. Jagarlamudi Koteswari Devi, counsel for the respondents.

3. It is submitted by the counsel for the petitioners that all the petitioners were initially appointed as casual labour during the years 1990 to 1992, and since then they have been working as such without any interruption and completed 12 years of service by the time of filing the writ petition. The petitioners were asked to discharge the duties of drivers and while they are working as such, the respondents had issued Proceedings in B.P.Ms.No.36, dated 18.05.1997, wherein a policy decision was taken to fill up to 50% of the vacancies by casual labour/ contract labour/ village electrical workers. Since the petitioners are fully eligible and qualified to be appointed as Junior Lineman in terms of B.P.Ms.No.36, dated 18.05.1997, the petitioners seek a direction to the respondents to absorb them as Junior Linemen or in any suitable posts.

4. It is submitted by the learned counsel for the Respondents that the petitioners are not entitled for absorption, as they were not employed by the Respondents, but employed by a private contractor and, therefore, the question of considering their services for regularisation or absorption would not arise.

5. The petitioners have filed WPMP.No.34824 of 2017 along with a copy of the Order of this Court in W.P.No.26770 of 2010, dated 08.06.2017 and submit that the subject matter of the present writ petition is squarely covered by the said orders. The counsel for the Respondents also fairly admits that the issue in the present writ petition is squarely covered by the Order of this Court in W.P.No.26770 of 2010, dated 08.06.2017, but, however contends that against the said Order, the respondents therein had preferred an appeal before the Division Bench, and the same is yet to be adjudicated.

6. I have considered the rival submissions made by both the parties. When it has been brought to the notice of this Court that the subject matter of the present writ petition is squarely covered by the Order of this Court passed in the above said writ petition, I do not see any reason to keep this writ petition pending further, and therefore, the same shall be disposed of in terms of the said Order of this Court.

7. Accordingly, this writ petition is disposed of in terms of the Order of this Court in W.P.No.26770 of 2010, dated 08.06.2017. As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

The Registry is directed to annex a copy of the Order in W.P.No.26770 of 2010, dated 08.06.2017 to this Order.

Abhinand Kumar Shavili, J

December 20, 2017

Kv

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*Kv*