

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.18567 OF 2000

ORDER:

This writ petition is filed seeking to issue Writ of Mandamus declaring the proceedings of the 1st respondent in passing orders in A.P.S.A.No.3 of 2000 dated 31.7.2000 to the extent of denying continuity of service and back wages, as illegal, arbitrary and against the provisions of the Andhra Pradesh Shops and Establishment Act, 1988, and further to direct the respondent No.3 to pay back wages to the petitioner from 19.12.1992 till his reinstatement into service with continuity of service and other allowances.

The facts of the case as can be culled out from the petition are as follows:

The petitioner, while working as a salesman under the control of the 3rd respondent society, was terminated from service on 19.11.1992. Challenging the said termination order, the petitioner had filed an appeal before the 2nd respondent. Vide order dated 31.5.1993, the 2nd respondent had directed the 3rd respondent society to reinstate the petitioner into service. The 3rd respondent society filed W.P.No.23582 of 1995 questioning the order dated 31.5.1993. This Hon'ble Court, passed order dated 2.4.1998, setting aside the order dated 31.5.1993 passed by the 2nd respondent and directing the 2nd respondent to dispose of the appeal filed by the petitioner after hearing both the parties. In compliance of the said direction, on 1.1.2000, the 2nd respondent had dismissed the appeal filed by the petitioner. Against the said dismissal order, the petitioner preferred 2nd appeal before the 1st respondent. The 1st respondent had passed orders directing that the petitioner be reinstated

into service, however without back wages and continuity of service. The petitioner was reinstated into service in pursuance to the said orders passed by the 1st respondent. The petitioner had filed the present writ petition seeking back wages and continuity of service.

Heard Sri K.Sita Ram, learned counsel for the petitioner and Sri K.Chidambaram, learned counsel for the 3rd respondent.

Admittedly, the petitioner had not let in any evidence before the authorities for claiming continuity of service and back wages. Hence, the 1st respondent had rightly denied the continuity of service and back wages to the petitioner. Therefore, the writ petition is devoid of merits and is dismissed, accordingly.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

ABHINAND KUMAR SHAVILI ,J

Date:4.12.2017

KPM

