

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.6141 OF 2010

Dated:21.02.2017

Between:

M.D. Alisher, S/o. Abdul Rahaman,
Aged 32 years, Occ: Unemployee,
R/o. Weakens Colony, Behind Masheed,
Tadepalligudem, West Godavari District .. Petitioner

And

The Andhra Pradesh State Road Transport
Corporation, rep., by its Vice Chairman and
Managing Director, Musheerabad,
Hyderabad and another .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.6141 OF 2010****ORDER:**

This Writ Petition is filed aggrieved by the action of the 2nd respondent in disengaging the petitioner from the post of driver on contract basis in West Godavari Division, even though he underwent the selection process, including the training, and issuing fresh employment notice, dated 12.11.2009, proposing to fill up 188 vacancies.

2. Learned counsel for the petitioner placed reliance on earlier decision of this Court in W.P.Nos.9596 and 4957 of 2010, dated 07.08.2013. The said decision was concerning the same recruitment notification. This Court considered the recruitment notification to the extent of petitioners therein and issued consequential direction to continue them in service as contract drivers and to engage them as and when work exists, as if they continued in service.

3. When the matter is taken up for consideration, learned counsel for the petitioner and learned Standing Counsel for the respondent – Corporation agree for passing of the order similar to the one passed in the above Writ Petitions. However, learned counsel opposes to the extent of setting aside the notification, dated 12.11.2009.

4. On consideration of the matter, this Court is of the opinion that the question of setting aside the notification, at this stage, does not arise. Moreover, the selected candidates are not

parties to the Writ Petition. However, since both the learned counsel agree for passing of the order similar to the one passed in the above Writ Petitions, this Writ Petition is also disposed of directing the respondent – Corporation to engage the petitioner as driver as and when work exists and for this purpose to treat the petitioner as in service w.e.f. 07.04.2007. It is made clear that the petitioner is not entitled to claim any other benefits including continuity of service. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date:21.02.2017

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P. NAVEEN RAO, J

