

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.538 OF 2008

ORDER:

The petitioner was initially appointed as Badli Coal Filler on 10.08.1992 being the dependant of medically invalidated employee. His services were confirmed in 1996. He made representations to the Authorities to provide him suitable job on surface and the respondents posted him as General Mazdoor to work on surface in the month of January, 1997. He has been continuously working in Coal Swing Plant. When an order was issued on 01.07.1998 asking him to work in underground, he challenged the same in W.P.No.20378 of 1998 and the same was disposed of holding that since the petitioner was sent for training, there cannot be any order of transfer from surface to underground. When again, the petitioner was asked to work underground, he filed another W.P.No.1840 of 2000 and by virtue of the interim directions, he continued to work as General Mazdoor in CSP. He states that he is an active member of Trade Union affiliated to INTUC. When an order was issued on 31.12.2007 transferring him from Ramakrishnapur CSP 1 A incline MMJ to Mining RK1 incline, the present writ petition was filed.

This Court, while admitting the writ petition, granted interim direction permitting the petitioner to discharge his duties in Ramakrishnapur CSP 1 A incline MM by suspending the order dated 31.12.2007. In view of the said interim order, the petitioner is being continued there. Since nine years have elapsed, this Court feels that the relief sought for in the writ petition need not be adjudicated and liberty is given to the respondents to review their order keeping in view the past service rendered by the petitioner and other attendant circumstances.

The writ petition is accordingly closed. Consequently, miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

21.11.2017
pln

