

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT APPEAL Nos.846 & 847 of 2017

DATE:- 22-08-2017

Between:

The Life Insurance Corporation of India,
Mumbai and 3 others

..... APPELLANTS

AND

E.Krishnahari (respondent in WA.846/2017)
B.Venkatesham (respondent in WA.847/2017)

.....RESPONDENTS

COUNSEL FOR THE APPELLANTS : Sri K.G.KRISHNA MURTHY
Senior Counsel
For Sri BATHULA RAJKIRAN

COUNSEL FOR RESPONDENTS : Sri PONNNAM ASHOK GOUD



THE COURT MADE THE FOLLOWING:

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

WRIT APPEAL Nos.846 & 847 of 2017

COMMON JUDGMENT: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

These two writ appeals arise out of separate but similar orders, passed by the learned single Judge, in W.P.Nos.13184 & 8189 of 2017, whereby he has directed the appellants to receive the applications of the respondents and process the same for absorption in the cadre of Assistant in the appellant Corporation.

The respondents have been working temporarily as Assistants and in pursuance of a notification, dated 21.07.2015, they claim to have submitted their applications. As their purported applications were not considered, they have filed writ petitions earlier, which were disposed of with a direction to the appellants to consider the applications of the respondents. On considering their applications, the appellants passed an order on 06.12.2016, stating that the applications of the respondents have not been received. Questioning the said communication, the respondents filed writ petitions, in which the impugned orders have been passed by the learned single Judge.

The main ground on which the writ petitions have been allowed by the learned single Judge is that as per the notification, the applicants are entitled to send applications through ordinary post and that therefore, the plea of the respondents that they have sent their applications through ordinary post cannot be doubted. When the applicants are permitted to send their applications through ordinary post, there is every chance of the

appellants not receiving the same. Hence the learned single Judge has given the benefit of doubt in favour of the respondents in considering their plea. We do not therefore find any reason to interfere with the orders of the learned single Judge.

Sri K.G.Krishna Murthy, appearing for the appellants, expressed his apprehension that some more persons may approach this court with similar claims, in which event, the appellants would suffer, as the process of considering the applications has already been commenced.

In the light of this apprehension, we make it clear that the appellants are left free to make a distinction between these cases and cases that may arise in future on the ground that the process of consideration has already been commenced.

Subject to the liberty given to the appellants, as above, these two Writ Appeals are dismissed.

As a sequel to dismissal of these writ appeals, WAMP.No.1658/2017 in WA.No.846/2017 and WAMP No.1660/2017 in WA.No.847/2017, filed by the appellants, for interim relief, shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY,J

M.S.K.JAI SWAL,J

Date: 22.08.2017
Dsr