HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION Nos.39993 of 2012, 27684 of 2013, 12595 & 25841 of 2015, 29368 of 2017
And
C.C.Nos.18, 1073 of 2014 and 845 of 2017

COMMON ORDER:

Heard learned counsel for the petitioners and Smt. C.Vani Reddy, learned Standing Counsel for respondents Kakatiya University.

In all these writ petitions, i.e., W.P. Nos.39993 of 2012, 27684 of 2013, 12595 & 25841 of 2015, 29368 of 2017, interim orders have been granted in view of the interim order granted in similar circumstances in WPMP No.35691 of 2009 in WP No.27400 of 2009 dated 15.03.2010.

This Court, by order dated 28.10.2013 disposed of WP No.27400 of 2009 by holding as follows:

> *"Not withstanding the rejection of the earlier representation made by the 3rd respondent, which is altogether on a different footing, the petitioners are at liberty to make a representation to the University renewing the request for notifying the vacancies, in which event, the respondent-University shall forward the said representation along with its recommendations to the 3rd respondent. On receipt of the said representation as well as recommendation of the University, the 3rd respondent shall take a decision on notifying vacancies concerning the petitioners as expeditiously as possible, preferably with a period of two months from the date of receipt of the said representations and recommendations."*

Against the order dated 28.10.2013 in WP No.27400 of 2009, W.A.No.1818 of 2013 was filed and the said Writ Appeal was disposed of by judgment dated 18.11.2013. Aggrieved by the judgment in the aforesaid Writ Appeal, Special Leave to Appeal (Civil) No.1916 of 2014 was preferred before the

Hon'ble Supreme Court, which was dismissed as withdrawn by order dated 24.02.2014 granting liberty to file review petition. Subsequently, Review WAMP No.2345 of 2014 was filed, which was ordered by the Division Bench vide order dated 20.06.2014 and subsequently, writ appeal was disposed of on 16.10.2014 holding as follows:

> "We therefore dispose of the writ appeal, upholding the order of the learned Single Judge, as regards taking of necessary steps for notifying the existing vacancies in the respective Departments and further holding that-
> (a) the appellants are not entitled to be extended the benefit under Regulation 13.1 as it stands now; and
> (b) it shall be open to the appellants to submit a representation to the State Government with a request to adopt the Regulations and in particular, Regulation 13.1 and as and when such a representation is made, the Government shall pass appropriate orders within a period of three months therefrom."

In these writ petitions, petitioners are claiming similar benefit as that of the petitioners in the W.P.No.27400 of 2009 and the writ appeal filed against the said order in W.A.No.1818 of 2013 was also disposed of holding as stated supra.

Learned counsel for the petitioners submit that after the judgment of the Division Bench of this Court in the aforesaid Writ Appeal i.e., W.A.No.1818 of 2013, the Hon'ble Supreme Court has decided the similar issue in the judgment reported in **State of Punjab vs. Jagjit Singh**[1], wherein the Supreme Court has held that the temporary employees, contract employees are entitled for minimum time pay scales on par with regular employees, as such, the case of the petitioner may be considered in terms of the guidelines in the aforesaid judgment of the Hon'ble Supreme Court.

---

[1] (2017) 1 Supreme Court Cases 148

Learned Standing Counsel for Kakatiya University submits that already writ petitioners are paid minimum time scales and the counter affidavit also filed to that effect in the Contempt Cases.

Having regard to the facts and circumstances of the case and also in view of the submissions of learned Standing Counsel, since it is admitted that the petitioners are working as contract employees, the respondents are directed to consider the case of the petitioners for payment of minimum time scales in terms of the judgment rendered by the Hon'ble Supreme Court in the case of **State of Punjab vs. Jagjit Singh (supra),** if they have not already paid.

Accordingly, the writ petitions are disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any pending in these writ petitions shall stand closed.

As a sequel to the disposal of writ petitions, Contempt Cases, which are filed alleging violation of interim orders passed by this Court in the writ petitions, are also liable to be closed and accordingly closed. Miscellaneous applications, if any, pending in the Contempt Cases shall stand closed.

_____

A.RAJASHEKER REDDY, J

Date: 06.10.2017
kvs

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION Nos.39993 of 2012, 27684 of 2013, 12595 & 25841 of 2015, 29368 of 2017
And
C.C.Nos.18, 1073 of 2014 and 845 of 2017

Date: 06.10.2017

kvs

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
सत्यमेव जयते