

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.35863 OF 2017

ORDER

Initially, the petitioner was appointed as Computer Operator in ICDS through DWCD A as an out sourcing employee and worked as such upto 2004. When her services were terminated, she filed WP No.13937 of 2004 and this Court disposed of the same on 13.9.2004 with the following observations.

“As seen from the terms of contract between the recruitment agency and the first respondent, the petitioners were appointed with a specific understanding that they would continue to work for a period of one year. The petitioners contend that they were not given notices before passing the impugned order or that no specific reasons were given in the impugned order. In the light of the terms of the contract, they cannot claim that they have a right to continue in service. Therefore, the petitioners cannot maintain the present writ petition on the ground that the impugned order is illegal and arbitrary. The respondents are silent whether there is any proposal to continue the scheme and whether they are appointing any other set of persons for similar work after the disengagement of the petitioners. In the event of the continuation of such scheme, and in the event of the respondents contemplating to engage people for similar work, the candidature of these petitioners may also be taken into consideration while engaging such persons.

The Writ Petition is accordingly disposed of. No costs.”

Now, the present writ petition is filed stating that several persons were appointed during the years 2009, 2011, 2014 & 2015. As the petitioner was not appointed, she submitted a detailed representation on 13.10.2017 with a request to consider her candidature. When the same was not considered, she filed the writ petition.

Admittedly, the petitioner was an outsourced employee and she worked only for one year. Thereafter, her services were not continued. Now, after 13 years, she filed the present writ petition. In the case of outsourcing employees, it is for the agency concerned to consider whether to engage or dis-engage their services. Therefore, no relief can be granted to the petitioner.

In the circumstances, the writ petition fails and is accordingly dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

30th October, 2017
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