

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.40240 of 2017

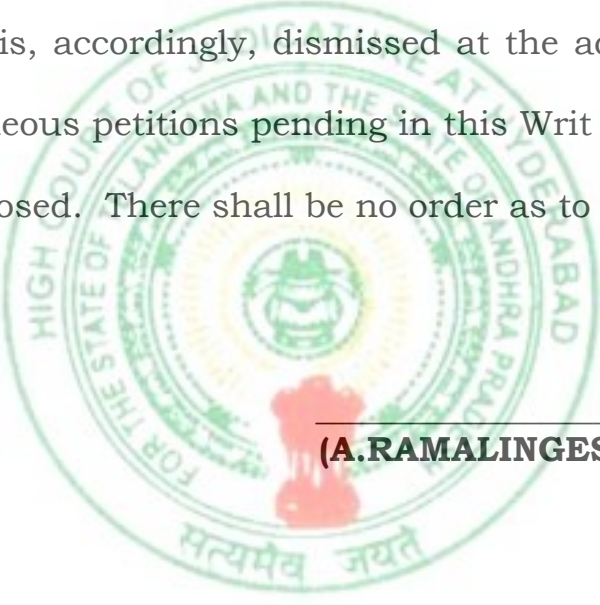
ORDER:

The petitioner states that he was appointed by the fourth respondent bank on 07.05.1997 as Gardner on daily wage basis on a consolidated pay of Rs.1500/- per month. After six years of continuous service, though there was need for the post of Gardener, he alleges that the fourth respondent bank terminated his services on 23.05.2003 without following any procedure. Challenging the said termination, the petitioner filed W.P.No.11024 of 2003 and this Court disposed of the said Writ Petition holding that the termination of the petitioner was valid, but directed the respondent bank to consider engaging the services of the petitioner in any post to which he is eligible for being appointed in the light of Section 25H of the I.D.Act in preference to others. When the petitioner submitted several representations, the fourth respondent bank passed an order on 25.09.2017 stating that the bank could not undertake recruitment to sub staff as it was prohibited to recruit the sub staff and as per the age and qualification of the petitioner, he is not eligible for sub staff post also. However, he was accommodated to work as sub staff in their Railway New Colony Branch through a private agency called Eagle Eye Security Agency keeping in view the representations/petitions filed by the petitioner. Challenging the said order, the present Writ Petition is filed.

A reading of the order passed by this Court in W.P.No.11024 of 2003 shows that at the time of recruitment, the petitioner was asked to be given preference, and now no recruitment is being taken up by the bank. Hence, the question of giving preference to the petitioner does not arise. However, the services of the petitioner are being utilized through an outsourcing agency.

In view of the above facts and circumstances of the case, the relief sought for by the petitioner cannot be granted, and the Writ Petition is, accordingly, dismissed at the admission stage. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

28.11.2017
vs



(A.RAMALINGESWARA RAO, J)