

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.24525 OF 2003

ORDER

This writ petition is filed seeking the following relief:

“...to issue an appropriate writ, order or direction in the nature of Mandamus, declaring the action of the respondent in not regularizing/permanently absorbing the petitioner as attender under the control of the respondent is illegal, arbitrary and direct the respondent to absorb the petitioner permanently; and pass such further or other orders as this Hon'ble Court may deem fit and proper in the case.”

Heard Smt G.Sunitha, learned counsel appearing for the petitioner and learned Government Pleader for Services-II appearing for the respondent.

The grievance of the petitioner is that though he was appointed as an Attender in the respondent-A.P.Legislative Assembly on 18.3.1986 and discharging his duties continuously without any complaints, his services are not regularized.

While admitting the writ petition on 21.11.2003, this Court in WPMP No.30883 of 2003 directed the respondent to continue the petitioner in service on the same terms and conditions prevalent as on that, if he is in service as on date.

Learned counsel appearing for the petitioner submits that in pursuance of the said interim direction, the petitioner was continued in service and that appropriate direction may

be given to the respondent to consider the case of the petitioner for regularization of his services.

Learned Government Pleader for Services appearing for the respondent contends that case of the petitioner cannot be considered for regularization as he was appointed contrary to the rules and that there are no merits in the writ petition and the same is liable to be dismissed.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this writ petition can be disposed of directing the respondent to consider the case of the petitioner for regularization of his services, if he is continuing as on today.

Accordingly, the Writ Petition is disposed of directing the respondent to consider the case of the petitioner for regularization of his services, if he is continuing as on today, and pass appropriate orders within a period of four weeks, in accordance with rules. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

19th November, 2018

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