

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.8167 of 2001

ORDER.

This Writ Petition is filed seeking to issue a Writ of *Mandamus* declaring the action of respondents in not regularizing the services of the petitioners, even though this Court, vide order, dated 23.6.1998, in Writ Petition No.10496 of 1997, had directed to regularize their services, as illegal and arbitrary, and consequently, to direct the respondents to regularize the services of the petitioners with all consequential benefits as per the aforesaid order.

Heard Ms. S.V.Indra, learned counsel for the petitioners, and Sri S.Santosh Kumar, learned Standing Counsel for the respondent-Corporation.

In the affidavit, filed in support of the Writ Petition, the petitioners averred that they were initially appointed on Casual basis in respondent No.1-Corporation during the year 1986 and since then, they have been working in respondent No.1-Corporation. When their services were not regularized, they filed Writ Petition No.10496 of 1997 and this Court allowed the same by order, dated 23.6.1998, which reads as under:

“The petitioners 23 in all have been serving in the establishment of the first respondent-Corporation as casual labour starting from the year 1986 and onwards. There is no controversy between the

parties that G.O.Ms.No.212, dated 22.4.1997, issued by the Government of Andhra Pradesh does apply to the petitioners also and their claims have to be considered for regularization of their services in terms of the said G.O. In that view of the matter, I dispose of the Writ Petition directing the respondents to regularize the services of the petitioners with effect from the date on which each of the petitioners completed five years continuous service in the establishment of the first respondent-Corporation and extend the consequential benefits flowing from such regularization, subject to the petitioners fulfilling the other prescribed eligibilities under the Government Order. No costs. This direction shall be carried out within a period of three months from the date of receipt of a copy of this order.”

Now, the grievance of the petitioners is that in spite of the said directions issued by this Court, respondent No.1-Corporation has not regularized their services.

Ms. S.V.Indira, learned counsel for the petitioners, submits that the respondents have not preferred any appeal against the aforesaid order of this Court and hence, the same became final. She further submits that the petitioners are being continued in service till date.

Learned Standing Counsel for respondent No.1-Corporation contended that since the petitioners have not completed five years of service as on 25.11.1993, they are not

entitled for regularization and the Writ Petition is liable to be dismissed.

On a perusal of the material record and having considered the respective submissions made by the learned counsel for both the parties, this Court is of the considered view that the order, dated 23.6.1998, in Writ Petition No.10496 of 1997 has become final and respondent No.1-Corporation is bound to comply with the said order.

Therefore, the Writ Petition is disposed of directing the respondents to consider the cases of the petitioners for regularization of their services in accordance with the order, dated 23.6.1998, passed by this Court in Writ Petition No.10496 of 1997. There shall be no order as to costs.

The Miscellaneous Petitions, if any, pending shall stand dismissed.

JUSTICE ABHINAND KUMAR SHAVILI

29th June, 2018

DR