

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.15696 OF 2005

ORDER

This writ petition is filed seeking to issue a Writ of Mandamus declaring the action of the respondents in appointing the petitioners as Drivers on contract basis contrary to the Circular dated 11.08.2000, as arbitrary and illegal and consequently to direct the respondents to appoint the petitioners as Drivers afresh on casual basis.

Heard Sri P.Govinda Rajulu, learned counsel appearing for the petitioners and Sri A.Rama Rao, learned Standing Counsel appearing for the respondent-Corporation.

It is the case of the petitioners that initially, they were appointed as Drivers in the respondent-Corporation in the year 1996-98. Thereafter, they were removed from service in the year 1997-98 on the ground that the driving licences submitted by them were not genuine. Subsequently, in terms of the Circular dated 11.08.2000, they were re-engaged on furnishing fresh driving licences, on contract basis and their services were also regularized.

The grievance of the petitioners is that the respondent-Corporation ought to have re-engaged them as Drivers on casual basis instead of contract basis. If the services rendered

by them were treated as casual basis, then they are entitled to certain benefits.

Learned Standing Counsel appearing for the respondent-Corporation contends that in terms of the Circular dated 11.08.2000 only, the petitioners were re-engaged as Drivers on contract basis; their services were also regularized subsequently; 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 ends of justice would be met if a direction is given to the respondent-Corporation to consider the service rendered by the petitioners on casual basis instead of contract basis in terms of the Circular dated 11.8.2000.

Accordingly, the Writ Petition is disposed of directing the respondent-Corporation to consider the service rendered by the petitioners on casual basis instead of contract basis in terms of the Circular dated 11.8.2000, with all consequential benefits. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

17th September, 2018
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