

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.24128 of 2012

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking verbatim the following relief/s:

“...to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not allowing the petitioners the regular service with notional seniority with effect from 06.12.1996 and pecuniary benefit with effect from 09.12.1997 as per B.P.No.326, dt.14.03.1998 while extending to all other contract labour absorbed under the scheme of absorption vide B.P.Ms.No.37, dt.18.05.1997 and B.P.Ms.No.272, dt.31.12.1997 and thereby denying the petitioners the equal treatment and equal pay scale and further action of the respondents in fixing less pay scale to the petitioner while fixing higher pay scale to all other contract labour absorbed under the same scheme and further action in issuing impugned rejection order vide Memo No.CEE/O&M/DrNTTPS/Adm/C.5/D.No.1187/14, dated 23.05.2014 is highly illegal, arbitrary and violative of Article 14 of the Constitution of India and consequently direct the respondents to allow the service benefit with effect from 06.12.1996 and pecuniary benefit from 09.12.1997 as per B.P.Ms.No.326, dated 14.03.1998 as allowed to other similarly situated persons as per the orders of Hon'ble Court in Writ Petition No.2179/2006, dt.19.11.2010 and pass such other order or orders....”

2. When this matter is taken up for hearing, Sri S. Appadhara Reddy, learned counsel for the petitioners, and Ms.K.Aruna, learned Standing Counsel for APGENCO representing the respondents, are in agreement that the issue involved in the present writ petition is squarely covered by the order of this Court,

dated 16.07.2018, in W.P.No.12747 of 2012. A copy of the said order is placed on record.

3. Having regard to the facts & submissions and for the reasons alike as were mentioned in the afore-stated order, dated 16.07.2018, this Writ Petition is also disposed of in terms of the said order. The undertakings given by the petitioners that they would forego their seniority with effect from 06.12.1996 and would not claim notional seniority are recorded. As a sequel to this order, the respondents shall regularise the services of the petitioners with effect from 06.12.1996 and count the services of the petitioners on regular basis with effect from 06.12.1996 for the purpose of retiral benefits and purposes of pension only and further allow them pecuniary benefits with effect from 09.12.1997, as were allowed to other contract labourers as per the Scheme *vide* B.P.Ms.No.326.

4. The Registry is directed to enclose a copy of the order of this Court, dated 16.07.2018, passed in W.P.No.12747 of 2012, to this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

M. SEETHARAMA MURTI, J

08.08.2018
Vjl