

THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.6990 of 2003

ORDER

This writ petition is filed seeking a writ of mandamus to declare the action of the official respondents in not regularizing the services of the petitioners in the 5th respondent Institution since long time, as illegal and arbitrary and consequently direct the 1st and 2nd respondents to sanction the required number of non-teaching posts (11 posts) to the 5th respondent Institution as per the staffing pattern for junior colleges fixed by the Government of A.P., vide G.O.Ms.No.2063 Education dated 25.08.1969 and regularize the services of petitioners on their respective posts in the 3rd respondent college with back wages and other attendant benefits keeping in view the G.O.Ms.No.212 (F & P) Dated 22.04.1994.

2. Heard learned counsel for the petitioners and learned Government Pleader for Higher Education.

3. The petitioners contended that they were appointed as Attenders and contingent staff in the 5th respondent Institution in 1992 and later, they were promoted as Record Assistants. The main grievance of the petitioners is that the respondents are not regularizing their services in terms of G.O.Ms.No.212 (F & P) dated 22.04.1994.

4. Learned counsel for the petitioners submits that while admitting the writ petition on 23.04.2003, this Court was pleased to grant interim order of *status quo*, by virtue of which, the petitioners

are continuing in their services. He further contended that though the petitioners are fully eligible and qualified to hold their respective posts, the respondents are not considering their case for regularization.

5. Learned Government Pleader for Higher Education submits that as the 5th respondent appointed the petitioners without following due procedure, the question of considering their case for regularization would not arise and there are no merits in the writ petition.

6. This Court, having considered the said submissions, is of the considered view that ends of justice would be met if a direction is issued to the 5th respondent Institution to submit fresh proposals for regularization of services of the petitioners, if they are working as on today, to the 1st and 2nd respondents, and on filing of such proposals, the 1st and 2nd respondents shall consider and pass appropriate orders in accordance with law, within four weeks thereafter.

7. With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand dismissed.

ABHINAND KUMAR SHAVILI, J

20th November, 2018

sj