

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

W R I T P E T I T I O N No.6428 OF 2017

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The petitioners are applicants 2 to 4 in O.A.No.8089 of 2012 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. The said O.A. was dismissed by the Tribunal *vide* order dated 06.04.2016. Aggrieved thereby, they filed Review M.A.No.763 of 2016 in the said O.A. and the same was dismissed by the Tribunal *vide* order dated 01.11.2016. It is against these orders that they filed the present writ petition.

Though the petitioners placed reliance upon the orders of the Tribunal in O.A.Nos.8 and 5046 of 2010, it is an admitted fact that the petitioners do not stand on par with the applicants in the said O.As. as the said applicants were appointed to the posts of Village Servants in accordance with the due procedure in pursuance of a notification and selection process. The petitioners herein, on the other hand, were only engaged on seasonal basis for collection of water cess/sist.

Learned Government Pleader for Services, State of Andhra Pradesh, would inform this Court that the said work would be available only during a particular season and therefore there would be no necessity to engage such seasonal workers on a regular basis.

Sri D.Rama Krishna, learned counsel for the petitioners, would however contend that the services of the petitioners are not even being considered for such seasonal engagement owing to the dismissal of the O.A. and the Review Application therein.

As the prayer of the petitioners in the O.A. was for a declaration that their appointment as Village Servants was on a regular basis and in

accordance with the rules, we are of the opinion that the Tribunal did not commit any error apparent in disallowing such a claim inasmuch as there is no evidence of their having been appointed in accordance with the due procedure. The orders passed by the Tribunal dismissing the O.A. and the Review Application filed therein therefore do not warrant interference.

The writ petition is devoid of merit and is accordingly dismissed. We however hasten to add that the dismissal of this writ petition or the O.A. would not preclude the authorities from considering the cases of the petitioners for seasonal appointment on par with others identically situated in accordance with the due procedure.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.



SANJAY KUMAR, J

M. GANGA RAO, J

Dt: 11.09.2018
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