

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 21908 of 2002

ORDER:

This writ petition is filed seeking to issue a writ of mandamus directing the respondents to treat the petitioner's service with effect from 21.01.1988 for all purposes including seniority, pay and allowances by giving the pay scale attached to the post of TGT as revised from time to time and consequently to direct the respondents to grant the petitioner promotional scale of eight years under Automatic Advancement Scheme by counting his service from 21.01.1988 and also count the said service for the purpose of pension.

Heard Sri T.P.Acharya, learned counsel for the petitioner, and learned Government Pleader for Social Welfare appearing on behalf of the respondents.

It has been contended by the petitioner that he was initially engaged as Trained Graduate Teacher on 21.01.1988 on daily wage basis and, thereafter, his case was considered for regularization in terms of G.O.Ms.No.212 dated 22.04.1994 and his services were regularized with effect from 27.11.1995. His grievance is that his services ought to have been regularized with effect from 21.01.1988 and to this effect he submitted a representation on 21.06.2001 to the respondents, the same is still pending consideration.

Learned Government Pleader for respondents has contended that the case of the petitioner was considered and his services were regularized with effect from 27.11.1995 in terms of G.O.Ms.No.124

dated 27.11.1995 whereby the Government had accorded permission to regularize the services of the persons mentioned in the Annexure with prospective effect i.e., 27.11.1995 and, therefore, the question of considering the case of the petitioner for regularization from the date of his initial appointment would not arise.

This Court having considered the submissions of the learned counsel for the parties is of the view that the writ petition can be disposed of directing the respondents to consider the representation of the petitioner dated 21.06.2001.

Accordingly, the writ petition is disposed of directing the respondents to consider the representation of the petitioner dated 21.06.2001 and pass appropriate orders thereon within four weeks from the date of receipt of a copy of this order, in accordance with law.

As a sequel, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No costs.

ABHINAND KUMAR SHAVILI, J

2nd November, 2018
cbs

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Writ Petition No. 21908 of 2002
(disposed of)

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