

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 25737 of 2003

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the action of the respondents in not admitting the petitioner into grant in aid post of Lecturer in Physics by extending the benefits granted to the similarly situated persons, as illegal and arbitrary. A consequential direction is also sought to the respondents to admit the petitioner into grant in aid post of Lecturer in Physics in the existing aided vacancy of the 3rd respondent college with all consequential benefits.

Heard Sri A. Satya Prasad, learned senior counsel for the petitioner, and learned Government Pleader for Education appearing on behalf of the official respondents.

It has been contended by the petitioner that he was initially appointed as part time Lecturer in Physics in the 3rd respondent college on 13.08.1990 and since then he has been discharging his duties without any remark. While so, the State Government had taken a policy decision to regularize all part time Lecturers who have completed 600 days as on 25.11.1993. As he has not completed 600 working days, his case could not be considered for regularization of his services. It is submitted by the petitioner that during pendency of the writ petition, the State Government has issued G.O.Ms.No.142, Finance (HR.I-Plg. & Policy) Department, dated 27.08.2018,

extending remuneration equivalent to the minimum of the time scale in the revised pay scales of 2015 to the full time/NMR/Daily wages/Consolidated pay/part time employees who were appointed before the cut off date i.e., 25.11.1993. It has been contended by the petitioner that since he has been discharging his duties as part time Lecturer in the 3rd respondent college since 13.08.1990, his case may be considered taking into account the said G.O.

This Court, having considered the submissions made by the parties and perused the record, is of the considered view that since the petitioner has been working in the 3rd respondent college as part time Lecturer in Physics since 13.08.1990 i.e., well before the cut off date 25.11.1993 prescribed in G.O.Ms.No.142, dated 27.08.2018, the benefits of the said G.O. have to be extended even to the case of the petitioner.

Accordingly, the writ petition is disposed of directing the respondents to extend the benefits of G.O.Ms.No.142 dated 27.08.2018 to the petitioner and pass appropriate orders in four weeks from the date of receipt of a copy of this order.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

3rd October, 2018
cbs

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(disposed of)

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