

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 21142 of 2005

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the action of the respondents in not absorbing the petitioners in the existing vacancies as Bala Sevikas in the Integrated Child Development Scheme of State Government, as illegal and arbitrary. A consequential direction is also sought to the respondents to absorb the petitioners in the existing vacancies as Bala Sevikas or equivalent posts in the Integrated Child Development Scheme of State Government with all consequential benefits.

Heard Ms. V. Meenakshi, learned counsel for the petitioners and learned Government Pleader for Women Development and Child Welfare appearing for the respondents.

It has been contended by the learned counsel for the petitioners that all the petitioners were appointed as Bala Sevikas during 1975 and they are entitled for absorption and that during pendency of the writ petition, the petitioners had retired from service on attaining the age of superannuation.

Now, the only issue is with regard to payment of terminal benefits to the petitioners for the services rendered by them with the respondents.

Learned Government Pleader for the respondents has contended that the petitioners were not appointed on regular basis and they were appointed only on temporary basis and their services were not

absorbed or regularized and, therefore, the question of paying pensionary benefits to the petitioners would not arise.

Having considered the submissions made by the learned counsel on either side, this Court is of the considered view that the writ petition can be disposed of directing the petitioners to submit a representation to the respondents.

Accordingly, the writ petition is disposed of directing the petitioners to submit a representation to the respondents seeking the benefits for the services rendered by them with the respondents within two weeks from the date of receipt of a copy of this order and upon receiving such representation, the respondents shall consider and pass appropriate orders in accordance with the rules within four weeks thereafter.

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

ABHINAND KUMAR SHAVILI, J

8th November, 2018
cbs

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(disposed of)

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