

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.12632 OF 2005

ORDER :

This Writ Petition is filed challenging the removal orders passed by the respondent, vide proceedings dated 1.3.2005 for certain irregularities said to have been committed by the petitioners.

2. The learned Counsel appearing for the petitioners submits that the Project Director has filed a counter affidavit to the effect that the District Collector had examined the cases and the District Collector has rejected the cases of the petitioners for reinstatement with an observation to the effect that once removal orders are issued, no permission will be given for taking them into service. However, if any clear vacancies arise in future, the cases of the petitioners will be considered afresh.

3. The learned Counsel for the petitioners contends that the 5th respondent's case was considered and she was appointed afresh and in respect of petitioners 1 to 4 and 6 and 7 they were not considered for fresh appointment in the existing vacancies. Therefore, the counsel for the petitioners contends that appropriate orders may be passed directing the respondent to consider the cases of the petitioners for fresh appointment as Anganwadi Workers.

4. The Government Pleader, appearing for the respondent, submits that after following the procedure, the services of the petitioners were removed. The respondent has issued show cause notice and after taking the explanation submitted by the petitioners into consideration

the respondent has passed impugned removal orders. No illegality has been committed by the respondent in removing the petitioners for the alleged irregularities said to have been committed by the petitioners. However, the Government Pleader contends that the cases of the petitioners would be considered in the existing vacancies in accordance with law.

5. This Court, having considered the rival submissions of the parties, is of the considered view that this Writ Petition can be disposed of directing the petitioners to submit a fresh representation to the respondent seeking fresh appointment within two weeks from the date of receipt of a copy of this order and upon such representation being received, the respondent shall consider and pass appropriate orders in accordance with law within a period of four weeks thereafter.

6. With this observation, Writ Petition is disposed of.

7. Miscellaneous Petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

21st December, 2018

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