

HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No. 2986 of 2006

ORDER:-

This writ petition is filed seeking to issue a writ of *Mandamus* declaring action of the respondents in not absorbing the petitioners in the posts of Sub-Engineers though vacancies are available and not notifying the vacancies vide Notification dated 28.04.2001 in Adilabad Circle, as illegal and arbitrary and consequently direct the respondents to absorb the petitioners in the posts of Sub-Engineers.

Heard Sri S.Ravindranath, learned counsel for the petitioners and Sri Zakir Ali Danish, learned Standing Counsel for Northern Power Distribution Company of A.P. Limited appearing on behalf of respondent Nos.2 to 4 and perused the material placed on record.

The grievance of the petitioners is that when they were working on contract basis, the respondents had issued B.P.M.S.No. 36, dated 18.05.1997 whereby the respondents have taken a policy decision to fill up 50% of the posts with the existing contract labour and other workers who are working on N.M.R. basis.

When the case is taken up for hearing the learned counsel for the petitioners submits that he is not pressing the writ petition against the 1st petitioner, and the writ petition

may be dismissed against the 1st petitioner. He contends that the 2nd petitioner was appointed in the respondent - Corporation as Sub-Engineer on 25.01.1993 on contract basis and he was continued up to 19.10.1996 and reengaged on 01.03.1997 and continued up to 23.03.2000. He further contends that in pursuance of the policy decision taken by the Board in B.P.M.S.No. 36, dated 18.05.1997, the case of the 2nd petitioner was considered and he was called for interview on 26.10.2002, and thereafter, no communication has been sent to him. The learned counsel further contends that the action of the respondents in not communicating the result of the interview in which the 2nd petitioner had participated, is arbitrary and illegal, and further contends that in case he is selected, the same be communicated, and he should be given appointment orders. Even otherwise, if the 2nd petitioner is not selected, the same should be communicated to him.

The learned Standing Counsel submits that the respondent-Corporation withdrew B.P.M.S.No. 36, dated 18.05.1997 in the year 2006, as such, the question of considering the 2nd petitioner's case for appointment under the B.P.M.S., would not arise.

This Court, having considered the rival submissions of both the parties, is of the opinion that ends of justice would

be met if the respondents are directed to communicate result of the selection process which was conducted on 26.10.2002 wherein the 2nd petitioner was interviewed for appointment to the post of Sub-Engineer, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

29.08.2018

bcj

ABHINAND KUMAR SHAVILI, J

