

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.3890 OF 2001

ORDER:

1. This is a case where the petitioners are seeking absorption in the respondent-Corporation on the ground that they have completed 240 days of service.

2. When this matter was taken up for hearing today, it was informed by the learned Standing Counsel that some of the petitioners, who were in service as on 4.12.2016, were considered for absorption, but, the said absorption was challenged by filing Public Interest Litigation (PIL) No.149 of 2017, and in the said case, interim suspension of absorption orders was granted, and consequently, the absorption order in respect of some of the petitioners was kept on hold subject to the outcome of PIL No.149 of 2017. In respect of the other petitioners, the learned Standing Counsel for the respondent-Corporation relied on the judgment rendered by this Court in W.P.No.36217 of 1998 and batch dated 12.12.2006 wherein this Court directed the petitioners therein, who were similarly situated persons, to approach the labour authorities under Industrial Disputes Act, 1947 for the relief of absorption/regularization of their services with the respondent-Corporation by following the judgment of the Hon'ble Apex Court

in **Steel Authority of India Limited Vs. National Water Front Workers (2001 (6) ALD 1).**

3. The learned Counsel for the petitioners contends that he is not aware as to the status of the petitioners as to whether they are still in service or not.

4. Having considered the submissions made by the parties, this Court is of the view that this writ petition can be disposed of directing the petitioners to approach the labour authorities concerned.

5. Accordingly, the Writ Petition is disposed of directing the petitioners to approach the labour authorities, if they are so advised, for seeking the relief of absorption/regularization by demonstrating that they have completed 240 days of service. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

(ABHINAND KUMAR SHAVILI, J)

Dated: 20th July, 2018

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Dated: 20.7.2018

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