

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.12048 OF 2007

ORDER

This writ petition is filed seeking for the following relief:

“... to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in issuing impugned proceedings in Lr.Rc.No.12/HC/TWI,S/AE,S/98-07, dated 23-05-2007 is illegal, arbitrary, unreasonable and contrary to the Circular No.E2/2987/APSC/97, dated 23.07.1997 and set aside the same and consequently to direct the 1st respondent to implement the circular No.E2/2987/APSC/97, dated 23-07-1997 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

Heard Sri R.Surender Nath, learned counsel appearing for the petitioner and Sri G.Seena Kumar, learned Standing Counsel appearing for respondents 1 to 3.

While admitting the writ petition, this Court on 11-06-2007 in WPMP No.14999 of 2007 granted interim suspension of the impugned order. Thereafter, the respondents have filed WVMP No.2150 of 2007 and the same was dismissed for non-prosecution *vide* order dated 18.06.2010.

If the petitioner is working as In-charge Assistant Engineer, he shall be continued in service until the official

respondents pass order afresh. Since the petitioner has no vested right to continue on In-charge basis eternally, it is always open for the official respondents to review his case, in accordance with law.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

26th September, 2018
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