

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 41170 of 2014

ORDER:

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the proceedings dated 1.7.2014 issued by the 4th respondent as illegal, arbitrary and unconstitutional, and consequently, to direct the respondent-authorities to continue the petitioner as field assistant of Matyapuram village, Hukumpet Mandal, Visakhapatnam District, and pay wages including arrears of salary.

2. Heard Sri J. Sreenivasa Rao, learned Counsel for the petitioner and Sri M.S.R. Chandra Murty, learned Standing Counsel for the respondents.

3. It has been contended by the petitioner that she was appointed as field assistant under National Rural Employment Guarantee Scheme in the year 2008, and while she was discharging her duties, the 3rd respondent removed her from service vide order dated 21.6.2009, and aggrieved by the same, she filed W.P.No.23524 of 2011 and this Hon'ble Court vide order dated 23.2.2011 was pleased to allow the said writ petition directing the 3rd respondent herein to reinstate the petitioner into service, and in pursuance of the orders of this Court in W.P.No.23524/2011, the petitioner was reinstated into

service vide order dated 17.10.2014. Further, it has been contended by the petitioner that just because she filed the writ petition challenging the removal order, the respondents bore grudge against her, and the 4th respondent issued the impugned proceedings dated 1.7.2014 disengaging the services of the petitioner. Challenging the same, the present writ petition is filed.

4. The learned Counsel for the petitioner submits that similarly situated persons are being continued in service whereas the petitioner's services were discontinued and therefore, appropriate orders may be passed in this writ petition directing the respondents to continue the petitioner as field assistant.

5. The learned Standing Counsel for the respondents contended that the petitioner was appointed on contract basis and as the tenure of contract has come to an end, the respondents passed the impugned orders and that there are no merits in this writ petition.

6. This Court having considered the rival submissions made by the parties is of the view that the contention of the learned Standing Counsel for the respondents that the services of the petitioner were not renewed after expiry of contract period is untenable. Ends of justice would be met if this writ petition is

7. Accordingly, the Writ Petition is disposed of directing the respondents to consider the case of the petitioner for engaging her as field assistant on contract basis as being done in respect of other field assistants, who were engaged along with the petitioner. Further, the respondents are directed to treat the petitioner and other field assistants, who were appointed along with the petitioner, equally and extend the same benefits as it was done in respect of other field assistants. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

10th December, 2018

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI



**Writ Petition No.41170 of 2014
(disposed of)**

10th December, 2018

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