

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.10259 OF 2004

ORDER

This writ petition is filed seeking 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 respondents in not regularize petitioners services as illegal and arbitrary and consequently direct the respondents to regularize their services from their initial appointments and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

While admitting the writ petition, this Court on 22.6.2004 in WPMP No.13036 of 2004, directed the respondents not to disengage the workers subject to availability of work.

Learned counsel appearing for the petitioners submits that though the petitioners were appointed during the years 1992, 1993 and 1998, the respondents have not regularized their services; and that pursuant to the interim order granted by this Court on 22.6.2004, the petitioners are being continued under the contractor.

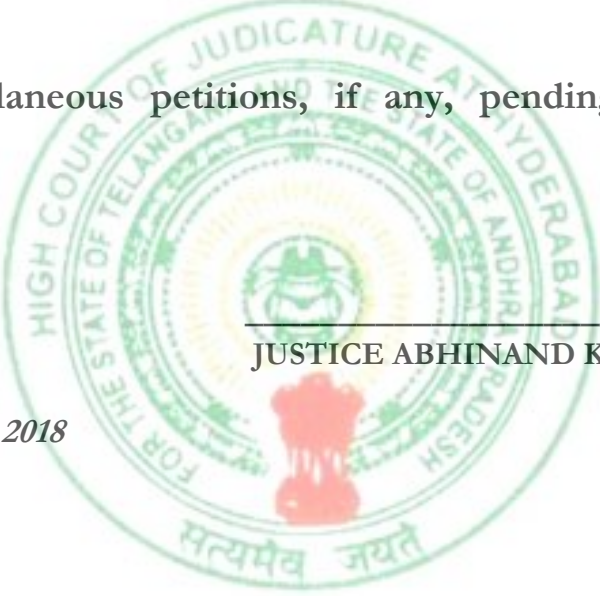
Learned Standing Counsel appearing for the respondents submits that the petitioners are not working with the respondents; that they are working under a Contractor, who has been entrusted the work of maintenance of railway track; that the respondents have nothing to do with the service conditions of the petitioners and that there are no

merits in the writ petition and the same is liable to be dismissed.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that if the petitioners are continuing as on date, in pursuance of the said interim order, their services shall not be disturbed.

With the above observation, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.



JUSTICE ABHINAND KUMAR SHAVILI

4th December, 2018
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