

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.5724 OF 2003

ORDER

This writ petition is filed seeking the following relief:

“...to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not regularizing services of the petitioner as Co-ordinator/Lecturer in regular scale of pay from the date of appointment of the petitioner i.e., 11-12-1991 as illegal, arbitrary and consequently direct the respondents to regularize services of the petitioner as a Co-ordinator/Lecturer in Library Science from the date of appointment i.e., 11-12-1991 together with regular salary attached to the said post from the date of regularization and pass such other order or orders in the circumstances of the case.”

Heard Sri A.Prabhakar Rao, learned counsel appearing for the petitioner and Sri A.Venkateswarlu, learned Standing Counsel appearing for the respondent-University.

It is the case of the petitioner that the 2nd respondent had appointed him as Lecturer on 11.12.1991 at the remuneration of Rs.35/- per period; that the remuneration has been enhanced from time to time; and that though he is continuously working as such and is qualified and eligible for regularization, the respondent-University is not regularizing his services.

Learned counsel appearing for the petitioner contends that though the petitioner is continuously working for more than two decades, the respondent-University is not regularizing his services and therefore, an appropriate direction be issued to the respondent-University to regularize his services in view of the law laid down by this Court in *State of Karnataka Vs. U.Uma Devi*¹.

Learned Standing Counsel appearing for the respondent-University contends that the petitioner was not recruited on regular basis and hence, the question of regularizing his services does not arise and the writ petition is liable to be dismissed.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that ends of justice would be met if a direction is given to the petitioner to submit a representation to the respondent-University to consider his case for regularization of services.

Accordingly, the Writ Petition is disposed of directing the petitioner to submit a representation seeking regularization of his services within a period of one week from the date of receipt of a copy of this order. On receipt of such representation, the respondent-University shall consider the

¹ (2006) 4 SCC 1

same and pass appropriate orders within a period of four weeks thereafter. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

14th November, 2018
rkk

