

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.11593 OF 2004

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, seeking to issue writ of Certiorari calling for the records connected to I.D.No.199 of 1999, dated 19.01.2002 passed by the Industrial Tribunal-cum-Labour Court, Anantapur and quash the same.

2. Heard Sri G.Ravi Mohan, learned counsel for the petitioner and Smt WVS Rajeswari, learned standing counsel for the respondent-corporation.

3. When the matter is taken up for hearing, it is informed by both counsel that the Labour Court had passed orders in I.D.No.199 of 1999, dated 19.01.2002, wherein it directed the petitioner to be engaged as a casual driver as and when vacancies arises.

4. Learned counsel for the petitioner submits that the Labour Court had passed the orders directing engagement of the petitioner as a casual driver as and when vacancies arises, but the case of the petitioner was not considered.

5. Learned standing counsel for the respondents contended that since there were no vacancies, the case of the petitioner was not considered .

6. This Court having considered the rival contentions made by both parties, is of the considered view that the writ petition can be disposed of with a direction to the 2nd respondent-corporation to appoint the petitioner as a fresh driver without any continuity of service, back wages

and attendant benefits within a period of 4 weeks from the date of receipt of a copy of this order subject to the condition the petitioner is medically fit.

7. With the above observation, the writ petition is disposed of. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

ABHINAND KUMAR SHAVILI, J

DATED:12-10-2018

Hsd

