

THE HONOURABLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

W.P.No.5186 of 2001

ORDER

This writ petition is filed to declare the action of the respondents in dispensing with the services of petitioner without following Section 47 of Act 1 of 1996, as illegal and consequently to direct the respondents to continue the petitioner in service with the same scale of pay and other service benefits.

2. The brief facts of the case, which are relevant for the purpose of disposal of the writ petition, are that the petitioner joined as driver in the respondent Corporation on 24.11.1984. On the intervening night of 02/03.06.1999, the bus bearing No.AP Z 891 driven by the petitioner met with accident resulting injuries to him and other passengers; he was on sick leave from 04.06.1999 and he was declared as unfit for the driver post; the respondent Corporation contends that the petitioner was medially retired from service on 03.07.2000; the petitioner filed representation on 06.08.2000 for providing alternative employment and for benefits under Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. As the respondent Corporation has not considered the representation in providing alternative employment, the writ petition has been filed by the petitioner.

3. When the matter came up for final hearing, learned Standing Counsel Sri N. Vasudeva Reddy, has placed before this Court a copy of sheet of APSRTC SBT Fund Member Enquiry and submits

that the petitioner was provided alternative employment of Sramik and that he retired from service on 28.02.2016.

4. Learned counsel for the petitioner does not dispute the same and submits that as alternative employment was provided to the petitioner, no further orders are necessary in the writ petition.

5. In view of the above, the Writ Petition is closed. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

6th April, 2018
sj

KONGARA VIJAYA LAKSHMI, J

