

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.26563 OF 2018

Dated:02.08.2018

Between:

Smt. Gandra Rekha, W/o. Dattarao,
Aged about 44 years, Occ: Sewa Member,
Singareni Sewasamithi, the Singareni
Collieries Company Limited,
R/o.Q.No. Tw-1152, Vital Nagar,
Godagarikhani, Karimnagar District

.. Petitioner

And

The Singareni Collieries Company Limited,
Rep., by its General Manager, RG-1,
Ramagundam, Karimnagar District

.. Respondents



The Court made the following:

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ORDER:

Heard learned counsel for the petitioner and learned Standing Counsel for Singareni Collieries Company Limited appearing for the respondent.

2. Petitioner alleges that she was engaged as Seva Member in the respondent – Company to look after the maintenance of Library established by it at Vital Nagar. She was paid a sum of Rs.5,000/- as monthly remuneration and later it was reduced to Rs.4,500/- by adjusting Rs.500/- towards G.S.T. While so, the Library was closed and it is now established at Jawaharlal Nehru Stadium, Ramagundam.

3. According to learned counsel for the petitioner, as Library is re-located and petitioner was already engaged in the respondent – Company, she should be continued on same terms and not continuing her as Seva Member is illegal.

4. According to learned Standing Counsel for the respondent - Company, the respondent – Company has not appointed the petitioner and there is no privity of contract between petitioner and the respondent – Company. Therefore, the question of engaging the petitioner in the Library now established by the respondent – Company does not arise.

5. Material on record would disclose that no order is filed by the petitioner to show that she is engaged by the respondent – Company. Learned counsel for the petitioner sought to contend

that petitioner was issued Identity Card and certain amounts were credited to her bank account and she was remunerated. However, it is not clear as to who is giving remuneration to petitioner and what is the nature of remuneration. Merely because an Identity Card is issued, it cannot be assumed that petitioner is an employee of the respondent – Company to grant further relief. Thus, no relief as sought for by the petitioner can be granted, based on the averments made in the affidavit filed in support of the Writ Petition paper book.

6. Leaving it open to the petitioner to persuade the respondent – Company to grant similar engagement in new Library established by the respondent – Company, the Writ Petition is dismissed. No costs. Miscellaneous Petitions, if any, filed in this Writ Petition shall stand closed.

Date:02.08.2018

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P. NAVEEN RAO, J

