

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.13102 of 2004

ORDER:

When the matter is taken up for hearing, counsel for petitioners submits that this writ petition is filed challenging the action of respondents in not absorbing the petitioners in the regular sanctioned post of Junior Lineman even though vacancies are available, as arbitrary, illegal and violative of Articles 14 and 16 of the Constitution of India and sought consequential direction to direct the respondents to absorb the petitioners in the post of Junior Lineman.

The learned Standing Counsel appearing for respondents has submitted that the cases of the petitioners were considered for absorption as Junior Lineman and petitioner Nos.2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 18 and 20 were found eligible to be absorbed as Junior Lineman, and accordingly, they were absorbed. The rest of the petitioners could not come up within the zone of consideration. The petitioners whose cases were rejected, are not continuing. It is contended that the cause in the writ petition does not survive as some of the petitioners such as petitioner Nos.2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 18 and 20 were considered and absorbed and the rest of the petitioners were not considered as they were not found eligible, and further, they are not continuing in service, and in view of the same, it is contended that the writ petition be closed.

This Court, having considered the aforesaid submission of the learned Standing Counsel for respondents, is of the considered view that the cases of petitioners have been considered for absorption as Junior Lineman and some of the petitioners were absorbed as Junior

Lineman and some of the petitioners are not absorbed as they could not come up within the zone of consideration. In view of the same, this Court is of the view that the cause in the writ petition does not survive.

The writ petition is accordingly closed. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

19th December 2018

ajr

