

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

WRIT PETITION No.28221 of 2018

ORDER: (ORAL)

(Per Suresh Kumar Kait, J)

Vide the present writ petition, petitioner has challenged order dated 23.03.2018 passed in O.A.No.3019 of 2017, by the A.P. Administrative Tribunal, whereby the application filed by him under Section 19 of the Administrative Tribunals Act, 1985, has been disposed of by recording as under:

“It is contended by the applicant’s counsel that since the applicant performed duties even after 16.01.2004, when his services were regularized by the Assistant Director of Mines and Geology, he is entitled for remuneration for the period of work done by him. Since the Assistant Director of Mines and Geology is not competent to regularize services of any daily wage worker and since the Government alone is the competent authority to order regularization of daily wage workers either under G.O.Ms.No.212 or G.O(P) No.112 or under the Andhra Pradesh Act 2 of 1994, until the Government passes an order on this subject, the applicant is entitled for the same remuneration to which he was entitled to as daily wage worker prior to 16.01.2014, for the subsequent period during which he rendered service.

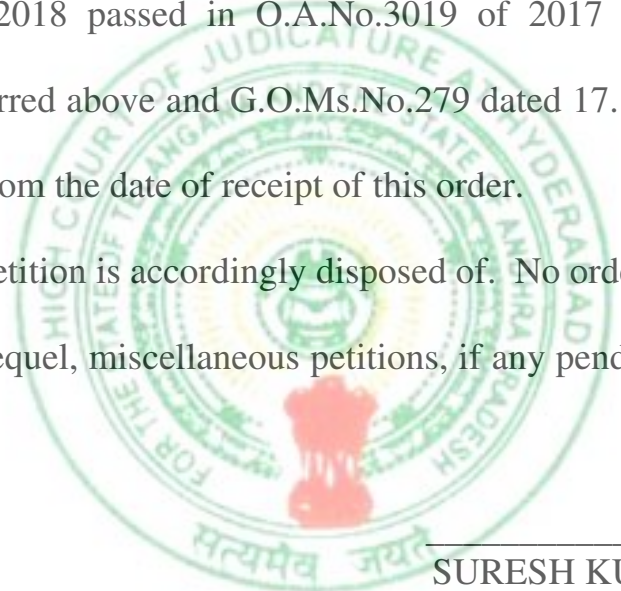
In the result, the Original Application is disposed of giving liberty to the applicant to approach the Government on this subject; and directing the respondents 3 and 4 i.e., Assistant Director of Mines and Geology, Guntur and Assistant Treasury Officer, District Treasury Office, Guntur to draw and pay remuneration of the applicant as daily wage worker from 16.01.2014 onwards during the period he rendered service in the office of the 3rd respondent, within a period of one month from the date of receipt of copy of this order.”

Learned counsel for the petitioner submits that in pursuance of the said order of the learned Tribunal, though petitioner filed representation dated 24.04.2018, till today, no decision has been taken by the respondents. He further submits that the Government has to take a decision pursuant to the order of the Tribunal and G.O.Ms.No.279 dated 17.10.2008.

Inasmuch as the petitioner has already made representation dated 24.04.2018, the 1st respondent is directed to take a decision on the said representation, in the light of paragraphs 9 and 10 of the order dated 23.03.2018 passed in O.A.No.3019 of 2017 by the learned Tribunal referred above and G.O.Ms.No.279 dated 17.10.2008, within four weeks from the date of receipt of this order.

Writ petition is accordingly disposed of. No order as to costs.

As a sequel, miscellaneous petitions, if any pending, shall stand closed.



SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

August 09, 2018
MRR