

THE HON'BLE SRI JUSTICE P.KESHA VA RAO

WRIT PETITION No.35496 OF 2012

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleaders appearing for the respondents.

The prayer sought for in the writ petition is as under:

“to issue an appropriate writ order direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in transferring the Building and Other Construction Welfare Funds from Nationalised Banks to Public Deposit Accounts as being illegal, arbitrary, unconstitutional and colourable exercise of power and in blatant violation of the Orders of the Hon'ble Supreme Court in W.P. (Civil) No. 318 of 2006 apart from being contrary to the Building and Other Construction Workers Regulation of Employment and Condition of Services Act 1996 and Rules made thereunder apart from being in violation of Fundamental and Constitutional Rights guaranteed under Article 14, 19, 21, & 23 of Constitution of India and consequently direct the Respondents to retransfer and deposit the funds in Nationalized Banks alone”

In the counter affidavits filed by the respondent No.1 as well as respondent No.6 it is categorically mentioned that the spirit of the directions of the Apex Court is that the funds shall not be used by the State Governments for any purpose or schemes. The said spirit is not violated by the respondent Nos.1 and 6 and that not even a single paisa of the Board has been diverted to the State Government for any other purpose till today.

The learned counsel appearing for the petitioners would submit that in the light of the counter affidavits filed by the respondent No.1 on hand and the respondent Nos.5 & 6 on the other hand, no further orders are required in the writ petition.

Accordingly, the writ petition is closed. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

P.KESHAVA RAO,J

15th NOVEMBER 2018.

Tsr

