

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.25738 OF 2015

ORDER:

1. When this matter is taken up for hearing, the learned Counsel for the petitioners submits that this writ petition is filed challenging the action of the respondents in discontinuing the services of the petitioners as they were engaged through Accounting Agencies, and on 14.8.2015, this Court was pleased to grant interim direction to the respondents to continue the petitioners, and by virtue of the said interlocutory order, the petitioners are being continued in service. He further submits that the grievance of the petitioners is that in similar circumstances, some of the employees challenged the action of the respondents in disengaging their services by filing I.D.No.253 of 1992 under Section 2-A(2) of the Industrial Disputes Act before the Industrial Tribunal, Anantapur, and the Tribunal vide award dated 30.12.1996 passed orders in favour of the employees directing the respondents therein to reinstate the employees into service with continuity of service, and challenging the said orders of the Industrial Tribunal, the respondents therein filed W.P.Nos.18653 of 2010 and batch of cases before this Hon'ble Court and this Hon'ble Court was pleased to dismiss the said writ petitions vide order dated 19.11.2015 and thereafter, the respondents further carried the matter by filing WA No.856 of 2016 and batch, and the Hon'ble

Division Bench of this Court was pleased to dismiss the said appeals vide judgment dated 17.9.2016, and in this case, the petitioners are being continued in pursuance of the interlocutory orders, and therefore, appropriate orders may be passed directing the respondents to examine the case of the petitioners by duly taking into account the award passed in I.D.No.253 of 1992, dated 30.12.1996, which was confirmed in WP Nos.18653/2010 and batch, dated 19.11.2015 and also WA No.856 of 2016 and batch, dated 17.9.2016.

2. The learned Standing Counsel appearing for the respondents submits that the petitioners are not entitled to be continued and that there are no merits in this writ petition, however, the respondents shall consider the case of the petitioners and pass appropriate orders in accordance with law.

3. This Court having considered the rival submissions made by the parties is of the view that this writ petition can be disposed of directing the petitioners to submit a fresh representation to the respondents within a period of two weeks from the date of receipt of a copy of this order. On such representation being received, the respondents shall consider the case of the petitioners for continuing their services.

4. Accordingly, the Writ Petition is disposed of directing the petitioners to submit a fresh representation to the respondents

within a period of two weeks from the date of receipt of a copy of this order. On such representation being received, the respondents shall consider the case of the petitioners for continuing their services in terms of the orders passed in I.D.No.253 of 1992, dated 30.12.1996, which were confirmed in WP Nos.18653/2010 and batch, dated 19.11.2005 and also WA No.856 of 2016 and batch, dated 17.9.2016. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Dated: 26.12.2018
Nn.



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26/12/2018

Nn.