

THE HON'BLE SRI JUSTICE P.KESHA VA RAO

WRIT PETITION No.26931 OF 2008

ORDER:

Heard the learned counsel for the petitioners and the learned standing counsel appearing for the respondents.

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

“to issue an appropriate writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in changing the working hours of the Railway Goods sheds from the existing working hours i.e. from 6 a.m.- 9 p.m. to round the clock by issuing Commercial Circular No. 250 of 2008 (No.C.310/RGI/Rc/Wkg.Hrs/Vol.II) dated 13.08.2008 as illegal, unjust, arbitrary, discriminatory, irrational, unreasonable, without jurisdiction, power or authority and violative of the principles of natural justice and also violative of the fundamental rights guaranteed under Articles 14, 19(1)(g) and 21 of the Constitution of India and has the effect of forcing the Labour to work round the clock as bonded labourers and consequently set aside the same.”

During the course of arguments, it is brought to the notice of this Court that on 24.10.2018, the learned counsel for the petitioners has informed the Court that the petitioners submitted a representation in the office of the General Manager, South Central Railways and if any orders are passed, that would redress the grievance of the petitioners. In that view of the matter, the writ petition was posted to 31.10.2018. In the meanwhile, the respondents were directed to consider the representation and pass suitable orders.

Today, the learned standing counsel appearing for the respondents placed on record the copy of proceedings No.C.310/RTC.Wkg.Hrs/Vol.VI, dated 06.11.2018, wherein it is

mentioned that the request of the petitioners cannot be agreed to and the present system is in terms of the policy issued by the Railway Board. In that view of the matter, this Court is of the opinion that no further cause would survive in the writ petition. The proceedings issued by the respondents mentioned supra would give a fresh cause of action for the petitioners to pursue their remedies available as per law.

With the above observation, the writ petition is dismissed. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

15th NOVEMBER 2018.
Tsr



P.KESHA VA RAO,J