

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.16950 of 2014

ORDER:

In this writ petition, under Article 226 of the Constitution of India, the petitioners are seeking verbatim the following relief:

“...to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the Memo No.CEE/O&M/DrNTTPS/Adm/C.5/D.No.1167/14, dated 21.05.2014 of the 3rd respondent is illegal, arbitrary and violative of Article 14 & 16 of the Constitution of India, set aside the same and consequently direct the respondents to extend the benefits as per B.P.Ms.No.326 dated 14.03.1998 to the petitioners and to pass such other order or orders as this Honble Court may deems fit just and proper in the circumstances of the case.”

2. When this matter is taken up for hearing, *Mr. S. Appadhara Reddy*, learned counsel for the petitioners, and *Ms.K.Aruna*, learned Standing Counsel for APGENCO representing the respondents, are in agreement that the issue involved in the present writ petition is squarely covered by the order of this Court, dated 16.07.2018, in W.P.No.12747 of 2012. A copy of the said order is placed on record.

3. Having regard to the facts and submissions and for the reasons alike as were mentioned in the afore-stated order dated 16.07.2018, this Writ Petition is disposed of in terms of the said order. The undertakings given by the petitioners that they would forego their seniority with effect from 06.12.1996 and would not claim notional seniority are recorded. As a sequel to this order, the respondents shall regularise the services of the petitioners with effect from 06.12.1996 and count the services of the petitioners on

regular basis with effect from 06.12.1996 for the purpose of retiral benefits and purposes of pension only and further allow them pecuniary benefits with effect from 09.12.1997, as were allowed to other contract labourers as per the Scheme *vide* B.P.Ms.No.326.

4. The Registry is directed to enclose a copy of the order of this Court, dated 16.07.2018, passed in W.P.No.12747 of 2012, to this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

Date: 03.08.2018

Note: Issue CC by 09.08.2018

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M. SEETHARAMA MURTI, J

