

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.7489 of 2015

ORDER:

This writ petition is filed seeking a writ of mandamus declaring the action of the respondent corporation in not regularizing the services of the petitioner in pursuance of the office order issued by the 1st respondent dated 04.07.2009, as illegal, arbitrary and sought for a consequential direction to regularize the services of the petitioner.

Heard Sri A.K.Jayaprakash Rao, learned counsel for the petitioner and Sri N.Vasudeva Reddy, learned Standing counsel for respondents.

It has been contended by the petitioner that he has joined the service of the 3rd respondent as casual cleaner on 21.08.1991 and continued his services till he was orally terminated without assigning reasons vide order dated 07.09.1993. Questioning the said order, petitioner raised an Industrial Dispute in I.D.No.198 of 1994 before the labour Court under Section 2-A(2) of the Industrial Disputes Act. The labour Court, vide order dated 31.12.1998, directed the respondents to reinstate the petitioner into service. In pursuance to the orders passed by the labour Court, the petitioner was reinstated into service but the grievance of the petitioner is that though he was reinstated into service, the case of the petitioner was not considered for regularization of his services. Learned counsel further contends that the scale attached to the post of cleaner is not paid to the petitioner and contends that appropriate orders be passed directing the respondents to reinstate the petitioner into service by duly giving regular pay scale attached to his post.

Learned Standing counsel for the respondents submits that the case of the petitioner will be considered in accordance with law and no interference is called for.

This Court, having considered the rival submissions of both the parties, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a representation to the respondents within a period of two weeks seeking regularization of his services and the respondents shall consider the case of the petitioner and pass appropriate orders in another four weeks thereafter.

With these observations, the writ petition is disposed of. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed.

30th November, 2018

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ABHINAND KUMAR SHAVILI, J

