

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 19161 of 2002

O R D E R:

Heard Sri N.Praveen Reddy, Amicus Curie and Smt.V.Uma Devi, learned Standing Counsel for respondent Bank.

Appreciation is placed on record for the assistance rendered by Sri N.Praveen Reddy, Amicus Curie appearing for petitioners in deciding this long pending case.

This writ petition is filed seeking to issue a Writ of *Mandamus* declaring that the petitioners are entitled to absorb in respondent bank according to their seniority.

When the matter is taken up for hearing, it is submitted that during pendency of writ petition, petitioner Nos.1 to 9 had withdrawn the writ petition and now the cause survives only with respect of petitioner No.10.

Respondent Bank had issued a notification during the year 1991 to the effect that the sub-staff who worked for 90 days between 01.01.1982 and 31.12.1990 in respondent Bank are eligible for absorption into regular service. Out of 100 applications, only

20 incumbents including petitioner No.10 fulfilled the conditions prescribed in the notification. However, respondent-Bank, while absorbing the other incumbents ignored the case of petitioner No.10.

Learned Standing Counsel for respondent bank would submit that respondent bank issued notification for filling up of 20 vacancies and accordingly, 20 temporary sub staff were absorbed in regular services and hence, the question of considering the case of petitioner No.10 does not arise.

Sri N.Praveen Reddy, Amicus Curie submits that in the notification issued by respondent bank nowhere it was mentioned that the candidates, who completed 90 days of service between the period from 01.01.1982 and 31.12.1990 are eligible for absorption in the respondent-bank.

This Court, having considered the rival submissions of both the counsel, is of the considered view that the writ petition can be disposed of directing respondent bank to consider the case of petitioner No.10 for absorption as sub-staff on regular basis pursuant to the notification issued by respondent bank during

1991, within a period of four weeks from the date of receipt of a copy of the order. No costs.

Miscellaneous Petitions, if any, pending in this writ Petition shall stand closed.

ABHINAND KUMAR SHAVILI, J

05.12.2018
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