

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI
W.P.No.2088 OF 2019

ORDER

This writ petition is filed seeking the following relief:

“...to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the inaction of the 1st respondent in considering the petitioner's representation dated 29-06-2017 requesting 1st respondent to count petitioner service at 2nd respondent from 24-07-1980 to Feb, 2000 for the purpose of payment of pensionary benefits for the services rendered at the 2nd respondent department as illegal, arbitrary and unjust and consequently direct the respondents to pay the pensionary benefits for the period w.e.f 24-07-1980 to Feb, 2000 for the services rendered at the 2nd respondent Department and pass such further order or orders as this Hon'ble Court deem fit and proper under the circumstances of the case.

Heard Sri G.Ravi Mohan, learned counsel appearing for the petitioner and Sri P.Shiva Kumar, learned Standing Counsel appearing for the 1st respondent.

It is the case of the petitioner that initially he was appointed as Watchman in the 2nd respondent on 24.07.1980 and his services were regularized. While so, the 2nd respondent deputed him to work in the 1st respondent-Pollution Control Board *vide* proceedings dated 08.08.2001. He was absorbed in the 1st respondent *vide* proceedings dated 09-08-2005. Thereafter, the petitioner retired from service on attaining the age of superannuation *vide* proceedings dated 31-12-2017.

Learned counsel appearing for the petitioner submits that the petitioner made representations to the 1st respondent

on 29.06.2017, 31.5.2018 and 09.07.2018 seeking to count the service rendered by him in the 2nd respondent from 24-07-1980 to February, 2000 for payment of pensionary benefits, but so far no orders have been passed thereon.

Learned Standing Counsel appearing for the 1st respondent submits that the 1st respondent would consider the representations submitted by the petitioner and would pass appropriate orders.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that ends of justice would be met if a direction is given to the 1st respondent to consider the representations made by the petitioner.

Accordingly, the Writ Petition is disposed of directing the 1st respondent to consider the representations submitted by the petitioner on 29.06.2017, 31.5.2018 and 09.07.2018 and pass appropriate orders thereon, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

13th February, 2019
rkk

