

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.6779 OF 2019

ORDER :

This writ petition is filed for the following relief:

“.....Writ of Mandamus declaring the action of the respondents more particularly 6th respondent in not allowing the petitioner to discharge her duties as Scavenger in B.C.Girls Hostel, Basheerabad, Basheerabad Mandal, Vikarabad District, as arbitrary, illegal, unjust and violation of Article 14, 16 and 21 of Constitution of India and consequently hold that the Petitioner is entitled to regularise her services as Scavenger in B.C. Girls Hostel, Basheerabad, Basheerabad Mandal, Vikarabad District, in the light of law laid down by the Hon'ble Apex Court in a case between Secretary, State of Karnataka vs. Umadevi And Others reported in 2006 (4) SCC 1 with all consequential benefits.....”

The petitioner in this writ petition is working as Scavenger in B.C.Girls Hostel, Basheerabad, Basheerabad Mandal, Vikarabad District for the last 14 years and she is aggrieved by the action of the respondents in not allowing her to discharge her duties as Scavenger and in not regularising her services in the said category in terms of the judgment dated 11.10.2018 rendered by this Court in W.P.No.36805 of 2018.

Learned counsel for the petitioner submits that the issue raised in this writ petition is squarely covered by the judgment dated 11.10.2018 rendered by this Court in W.P.No.36805 of 2018 and contends that appropriate orders

be passed in the writ petition directing the respondents to consider the case of the petitioner for regularisation of her services as Scavenger in terms of the judgement dated 11.10.2018 rendered by this Court in W.P.No.36805 of 2018 and also in terms of the judgment rendered by the Hon'ble Apex Court in SECY., STATE OF KARNATAKA v. UMADEVI¹.

The learned Government Pleader for Services appearing for respondents has not disputed about the applicability of judgment dated 11.10.2018 rendered by this Court in W.P.No.36805 of 2018 and contends that similar orders be passed in this writ petition also.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that since the petitioner is working with the respondents as Scavenger for the last 14 years and she is fully eligible and qualified for regularisation of her services, this writ petition can be disposed of directing the respondents to consider the case of the petitioner for regularisation of her services as Scavenger strictly in terms of the law laid down by the Hon'ble Apex Court in UMADEVI's case (supra) and also the judgment dated 11.10.2018 rendered by this Court in W.P.No.36805 of 2018. It is made clear that the whole exercise shall be completed within a reasonable period, preferably within a period of six (06) weeks from the date of receipt of copy of this order.

¹ (2006) 4 SCC 1

With the above observations, this Writ Petition is disposed of. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI,J

Date: 01.04.2019
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