

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.7086 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of both the parties.

This writ petition is filed seeking the following relief :-

“...to issue an appropriate writ order more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not regularizing the services of the petitioners as illegal, arbitrary, unjust, violative of Articles 14, 16 and 21 of Constitution of India and consequently direct the Respondents to pass appropriate orders for regularization of our services on recommendation/proposals forwarded by the District Panchayat Raj Engineers concerned”.

Heard Mr.G.Venkateshwarlu, learned counsel for petitioners and the learned Government Pleader for Services-II.

It has been contended by the petitioners that they are working as Work Inspectors (Technical) on NMR basis for the last ten years.

The grievance of the petitioners is that though they are working for more than ten years, the respondents are not taking steps to regularize their services.

Learned counsel for petitioners has contended that the Hon'ble Supreme Court in the *State of Karnataka Vs. Uma Devi*¹ directed the employers to formulate a scheme to regularise the services of employees, who have been discharging their duties continuously without any break for more than ten years. Though the Supreme Court has directed the employers to frame a scheme for regularising the services of employees, who are working on

¹ 2006 (4) SCC 1

temporary basis for more than ten years, the respondents are not considering the cases of petitioners. Respondents 4 and 5 have submitted a proposal for regularisation of the services of the petitioners to the 3rd respondent, who in turn has to forward the proposal to the 1st respondent and it is for the 1st respondent to pass appropriate orders on the proposal submitted by respondents 4 and 5. Therefore, appropriate orders be passed in the writ petition directing the 1st respondent to consider the proposal, which is going to be submitted by the 3rd respondent and further direct the 3rd respondent to forward the proposal to the 1st respondent.

Learned Government Pleader appearing for respondents has contended that the cases of the petitioners will be considered and appropriate orders would be passed by the 1st respondent, in accordance with law, after receiving proposal from the 3rd respondent.

This Court, having considered the rival submissions, is of the considered view that the writ petition can be disposed of directing the 3rd respondent to forward the proposal, which is submitted by respondents 4 and 5, to the 1st respondent within four weeks from the date of receipt of a copy of this order. Upon such proposal being received, the 1st respondent shall pass appropriate orders in accordance with law within a period of eight weeks thereafter.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 03-04-2019
Prv

