

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.7613 of 2019

ORDER:

This Writ Petition is filed seeking Writ of Mandamus declaring the action of the respondents in not regularizing the services of the petitioners though they have completed 24 years of service as on today as arbitrary, illegal, unjust, violative of Articles 14, 16 and 21 of the Constitution of India and also contrary to the law laid down by the Supreme Court in **the Secretary, State of Karnataka and others Vs. Uma Devi and others**¹ and sought consequential direction to direct the respondents to regularize the services of the petitioners from the date of their appointment with all consequential benefits by duly extending the benefit of law laid down by the Supreme Court in **Uma Devi's case** (cited supra).

2. Heard Smt. Y.L.Shivakalpana Reddy, learned counsel for the petitioners and the learned Government Pleader for Services-I appearing for respondents.

3. The grievance of the petitioners is that though they are working as part time Junior Lecturers for more than 24 years, their cases are not being considered for regularization.

4. Learned counsel for the petitioners contends that in view of the law laid down by the Supreme Court in **Uma Devi's case**

¹ (2006) 4 S.C.C. 1

(cited supra), wherein the Supreme Court has directed the Government to frame a scheme for regularization of the employees who are on the rolls for more than ten years. He relied upon the judgment of this Court in W.P.No.37561 of 2018, dated 12-10-2018 wherein this Court had directed the petitioners to submit a detailed representation to the Commissioner of Intermediate Education and if such representation is made by the petitioners therein, the 2nd respondent shall consider the same and if required, place the matter before the Government for passing appropriate orders within a period of two months. Therefore, he submits that appropriate orders be passed in the Writ Petition directing the respondents to consider case of the petitioners for regularization of their services strictly in terms of the law laid down by the Supreme Court in **Uma Devi's case** (cited supra).

5. Learned Government Pleader for Services-I has not disputed about the said facts and submitted that the case of the petitioners would be considered for regularization of their services in terms of the law laid down by the Supreme Court in **Uma Devi's case** (cited supra) and pass appropriate orders in accordance with law.

6. Admittedly in the instant case, petitioners are working for more than 24 years. Therefore, the cases of the petitioners deserve to be considered for regularization of their services in view

of the law laid down by the Supreme Court in **Uma Devi's case** (cited supra).

7. Having regard to the submissions made by the parties, this Court is of the considered view that this Writ Petition can be disposed of directing the respondents to consider the cases of petitioners for regularization of their services strictly in terms of law laid down by the Supreme Court in **Uma Devi's case** (cited supra) and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

8. With these observations, the Writ Petition is disposed of. No costs.

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

JUSTICE ABHINAND KUMAR SHAVILI

Date: 10-04-2019
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