

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.7834 OF 2019

ORDER

This writ petition is filed seeking the following relief:

“...to issue a writ, order or directions more in the nature of Writ of Mandamus declaring the office order No. E2/469(07)/2018-GDK, dated 07-03-2019 of the 4th respondent herein in retiring the petitioner from services on medical grounds w.e.f 07-03-2019 without offering and providing any suitable alternative employment as per The Rights of Persons with Disabilities Act, 2016, as illegal and arbitrary and set aside the same and further direct the respondents herein to provide any suitable alternative employment with all service benefits and payment of salaries for out of employment period as per Law and pass such other order or orders in the interest of justice as otherwise, petitioner may put irreparable loss and hardship.”

Heard Sri P.Govinda Rajulu , learned counsel appearing for the petitioner and Sri A.Ravi Babu, learned Standing Counsel appearing for the respondent-Corporation.

It is the case of the petitioner that initially, he was appointed as a Driver on 01-01-1997 in the respondent-Corporation and he was discharging his duties as such. While so, the respondent-Corporation declared him unfit for the post of Driver and passed the office order dated 07-03-2019 retiring him from service on medical grounds. Hence, the petitioner submitted a representation dated 15-03-2019 to the

respondents seeking alternative employment. But, so far, no orders have been passed thereon.

Learned counsel appearing for the petitioner submits that the respondents are not considering the case of the petitioner for alternative employment in terms of the Rights of Persons with Disabilities Act, 2016 and that appropriate orders be passed directing the respondents to consider the case of the petitioner for alternative employment.

Learned Standing Counsel appearing for the respondents submits that case of the petitioner would be considered and appropriate orders would be passed on the representation submitted by the petitioner.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 15.03.2019 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

15th April, 2019
rkk

