

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.NOS.8784 AND 8857 OF 2019

COMMON ORDER

With the consent of both the counsel, the present writ petitions, which involve same issue, are being disposed of at the stage of admission by this common order.

The petitioners in both the writ petitions claim that they entered into service as casual labour during the years 1987 and 1989, in the 3rd respondent – research station, which was initially under the control of Acharya N.G. Ranga Agricultural University at Hyderabad, and subsequent to the bifurcation of the State of Andhra Pradesh, under the control of the 2nd respondent – Sri Konda Laxman Telangana State Horticultural University, Hyderabad, represented by its Registrar. Government issued G.O.Ms.No.212, Finance and Planning Department, dated 22.04.1994, for regularization of the services of all the employees irrespective of their nomenclature, whether casual labour / NMRs / Daily wagers / consolidated pay employees etc., who have put in minimum five years of service and were continuing as on 25.11.1993. The case of the petitioners is that they fulfill the criteria laid down under G.O.Ms.No.212 dated 22.04.1994, and entitled for regularization, and that as of now, they have completed service ranging between 28 to 31 years and some of the petitioners are shortly attaining the age of superannuation. Their grievance is that though the 3rd respondent has sent proposals to the 2nd respondent for regularization of the service of the petitioners, on about six occasions, and the latest being on 11.02.2019 vide letter No.95/JVRHRS/2018-19, the 2nd respondent is not considering the same. Aggrieved by the inaction of the 2nd respondent – University in regularizing the services of the petitioners in terms of G.O.Ms.No.212 dated 22.04.1994, the present writ petitions have been filed.

Heard the learned counsel for the petitioners, who reiterated the above averments.

Ms.K.Udayasree, learned Standing Counsel for 2nd respondent – University submits that the 1st respondent – Government is the competent authority to accord necessary permission for regularization of the service of the petitioners and that the 2nd respondent would forward the proposals submitted by the 3rd respondent to the 1st respondent and that the 1st respondent may be ordained to pass appropriate orders.

Heard the learned Government Pleader for Agriculture appearing for 1st respondent.

Having regard to the facts and circumstances of the case and the submissions of the learned counsel, the writ petitions are disposed of directing the 2nd respondent to forward the proposals submitted by the 3rd respondent, along with relevant record, for regularization of the service of the petitioners, to the 1st respondent, within a period of two weeks from the date of receipt of a copy of this order, and within a period of six weeks thereafter, the 1st respondent, shall consider the said proposals and pass appropriate orders in terms of G.O.Ms.No.212 dated 22.04.1994, and communicate the same to the petitioners.

Interlocutory applications pending, if any, shall stand closed. No costs.

ABHINAND KUMAR SHAVILI,J

DATE:24—04—2019

AVS