

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.10082 OF 2019

ORDER:

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

This writ petition is filed seeking a Writ of Mandamus declaring the action of the 5th respondent in not including the name of the 1st petitioner in the list of providing employment on compassionate grounds and not appointing the 1st petitioner in a suitable post on compassionate grounds by taking into consideration the award passed in PLC No.394/2018 dated 14.07.2017 of the Lok Adalat Bench at Miryalaguda, as illegal, arbitrary, violative of Articles 14 and 21 of the Constitution of India and sought a consequential direction to the respondents to include the name of the 1st petitioner in the list of providing employment on compassionate grounds and to appoint the 1st petitioner in a suitable post on compassionate grounds by taking into consideration the award passed in PLC No.394/2018 dated 14.07.2017 of the Lok Adalat Bench at Miryalaguda, with all consequential benefits.

Heard Sri A. Narasimha Rao, learned counsel for the petitioners, and the learned Government Pleader for Services – III.

It has been contended by the 1st petitioner that while his father was discharging his duties as PHC Worker/Kamati on NMR basis with the 5th respondent Municipality, he has expired on 20.11.2001. Thereafter, there was a dispute with respect to receipt of pensionary benefits. However, the issue was settled before Lok Adalat on 14.07.2017 in PLC.No.394 of 2018, wherein it was compromised that the 1st petitioner would be entitled for compassionate appointment and the 2nd petitioner would receive the

service benefits. After the matter was settled before the Lok Adalat, the 2nd petitioner has submitted a representation to the respondents on 27.08.2018 requesting the respondents to provide employment to the 1st petitioner on compassionate grounds, but so far the respondents have not passed any orders.

Learned counsel for the petitioners contended that appropriate orders be passed in the writ petition directing the respondents to consider the representation dated 27.08.2018 and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for the respondents had submitted that the case of the petitioners would be considered and appropriate orders would be passed in accordance with law.

This Court, having considered the rival submissions of the learned counsel for respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation, dated 27.08.2018, and pass appropriate orders, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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 SHAVILI, J

Dated: 1st May, 2019
v v