

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.12428 OF 2019

ORDER

This writ petition is filed seeking the following relief:

“...to issue an appropriate writ or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents for not considering the petitioners case for reinstatement into service at least on par with Sri K.Rama Rao as illegal, arbitrary, discriminatory and in violation of Articles 14 and 21 of the Constitution of India and consequently the petitioners pray this Honorable Court may be pleased to direct the respondents to consider their request was made in representation dated 09.02.2017 in the interest of justice and fair play.”

Heard Sri V.Narasimha Goud, learned counsel appearing for the petitioners and learned Government Pleader for Animal Husbandry appearing for the respondents.

It is the case of the petitioners that initially they were appointed as NMR workers during 1989 and 1993 and since then they have been discharging their duties to the best satisfaction of their superiors. While so, the respondents have retrenched the petitioners from service on 22.03.2002. However, one K.Rama Rao, who was retrenched along with the petitioners, was re-inducted into service. But the respondents have not considered the cases of the petitioners for re-induction into service. Hence, the petitioners have

submitted a representation to the respondents on 9.2.2017 for re-inducting them into service in terms of Section 25-N of the Industrial Disputes Act, 1947 (for short 'the Act), but, the respondents have neither considered the cases of the petitioners for re-induction into service in terms of Section 25-N of the Act nor passed orders on the said representation. Hence, the present writ petition.

Learned counsel appearing for the petitioners submitted that appropriate orders be passed in the writ petition by directing the respondents to consider the representation submitted by the petitioners on 09.02.2017 in accordance with law.

Learned Government Pleader appearing for the respondents contended that the petitioners were retrenched on 22.3.2002 and after lapse of nearly 15 years, the petitioners have submitted the representation on 09.02.2017 and no proceedings have been cited to demonstrate that said K.Rama Rao was re-inducted into service as NMR worker. It is further contended that since the representation submitted by the petitioners is pending with the respondents, the respondents would consider the same and pass appropriate orders in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition can be disposed of directing the petitioners to submit a representation afresh staking their claim for re-induction into service, as was done in the case of K.Rama Rao, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider the same and pass appropriate orders within a period of eight weeks thereafter, in accordance with law.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, pending, if any shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 02.12.2019
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