

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.19132 of 2005

ORDER:

When the case is taken up for hearing, none appeared for the petitioner.

The petitioner has filed this writ petition challenging the rejection orders dated 01.04.2004, wherein, the case of the petitioner for absorption into aided service, was rejected. It has been contended by the petitioner that he was initially appointed as an Attender in the 6th respondent-institution on 01.06.1987 in an un-aided post and the petitioner has been discharging his duties to the best satisfaction of his superiors and everyone concerned. The petitioner further contended that the 6th respondent has submitted proposals for his absorption in the 6th respondent-institution in an aided vacancy, to the DEO and the DEO in turn, has submitted proposals to the 3rd respondent for absorption into aided post, but the 3rd respondent has rejected the case of the petitioner on the ground that the post in which the petitioner was working, was not created by the competent authority and the appointment of the petitioner in an un-aided post was not approved by the competent authority. Challenging the same, the present writ petition is filed.

Petitioner is seeking for appropriate orders in the writ petition directing the respondents to absorb him into aided service as he has rendered more than 30 years of service with the 6th respondent-institution.

The learned Government Pleader appearing for respondents contend that the case of the petitioner would be considered in accordance with law, if he is working as on today as Attender in the 6th respondent-Institution and appropriate orders will be passed.

This Court, having considered the rival submissions of the parties, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a fresh representation to the 3rd respondent seeking absorption into aided service, if he is discharging his duties as on today in the 6th respondent-institution, and upon such representation being received, the 3rd respondent shall consider the case of the petitioner for absorption into aided service and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of.
No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

23rd January 2019

ajr