

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION (TR) No.26 of 2017

ORDER:

When the matter is taken up for hearing, counsel for petitioners as well as Government Pleader appearing for respondents have informed the Court that the issue raised in the present writ petition is squarely covered by a Division Bench judgment of this Court in **Government of A.P. & others v. N.Venkaiah & others**¹, whereby, a Division Bench of this Court has allowed batch of cases directing the respondents therein to regularize the services of petitioners therein on completion of 5 years of service strictly in terms of G.O.Ms.No.212, dated 22.04.1994, by following the judgment of the Hon'ble Supreme Court in **B.Srinivasulu v. Nellore Municipal Corporation**².

2. Counsel for petitioners submitted that the services of petitioners were regularized vide G.O.Rt.No.258, dated 18.05.1998, but not from the date of completion of 5 years of service in terms of the cut-off date prescribed in G.O.Ms.No.212, dated 22.04.1994. Therefore, he contend that the services of petitioners be regularized from the date on which they completed 5 years of service i.e. 25.11.1993, strictly in terms of G.O.Ms.No.212, dated 22.04.1994 by duly taking into account the judgment of Hon'ble Supreme Court in **B.Srinivasulu**'s case (supra 2).

3. The Government Pleader appearing for respondents also contended that the present writ petition can be disposed of directing the respondents

¹ 2018 (4) ALT 6 (D.B)

² Civil Appeal No.6318 of 2015, dt.17.08.2015.

to consider the case of the petitioners for retrospective regularization in terms of the Division Bench judgment of this Court in **Government of A.P. & others v. N.Venkaiah & others** (Supra 1).

4. This Court, having considered the rival submissions made by the parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the case of the petitioner for retrospective regularization strictly in terms of the judgment of this Court in **Government of A.P. & others v. N.Venkaiah & others** (Supra 1) and also the judgment of Hon'ble Supreme Court in **B.Srinivasulu's** case (supra 2) 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.

5. With the above directions, the writ petition is disposed of.
No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

22nd October, 2019

ajr