

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.4577 OF 2013

O R D E R :

This writ petition is filed seeking a writ of mandamus declaring the action of the respondent No.2 in not regularizing the services of the petitioners as illegal, arbitrary and violative of Article 14, 15, 19 and 21 of Constitution of India and contrary to principles of natural justice and sought for a consequential direction to respondents to regularise the services of the petitioners with consequential benefits including attendant benefits.”

Heard Sri T.Surya Satish, learned counsel for the petitioners and learned Government Pleader for Services-II.

It has been contended by the petitioners that they were initially appointed on daily wage basis during 1997 with the respondents. Ever since then, they are discharging their duties to the utmost satisfaction of their superiors and everyone. Petitioners further contend that though they have been working since more than two decades, the respondents are not regularising their services.

Learned counsel for the petitioners submits that Honourable Apex Court in ***Secy., State of Karnataka v. Umadevi***¹ at paragraph 53 of the judgment held that persons who are continuously working for more than 10 years on daily wage basis are entitled to be regularised and the respondents therein were directed to formulate a scheme as a one time measure to regularise their services. He further contends that appropriate orders be passed in the writ petition directing the respondents to consider the cases of

¹ (2006) 4 SCC 1

the petitioners for regularisation of their services in terms of the judgment stated supra.

Learned Government Pleader appearing for the respondents submits that the cases of the petitioners would be considered in accordance with Rules and appropriate orders will be passed.

This Court, having considered the rival submissions of both the parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the cases of the petitioners for regularisation of their services in terms of the judgment rendered by the Hon'ble Apex Court in **Secy., State of Karnataka's** case (supra) and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of copy of this order.

With the above observations, writ petition is disposed of. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

ABHINAND KUMAR SHAVILI,J

Date: 26.02.2019
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