

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.22298 of 2019

ORDER

This writ petition is filed seeking the following relief:

“.....to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the respondents in not considering the pre-absorption service rendered by the petitioner as HWO Gr-II, as regular service, in spite of the willingness and consent given by both the Departments for regular absorption and inordinate delay in issuing absorption orders as illegal, arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution of India and consequently direct the respondents to treat the pre-absorption service rendered by the petitioner as HWO Gr-II, as regular service from the date of his appointment as HWO Gr-II and consequently accord service, seniority, increments and promotion to the next higher categories with all service and monetary benefits and pass such other order or orders may deem fit and proper in the circumstances of the case.”

Heard Sri P.Amarender, learned counsel appearing for the petitioner, and learned Government Pleader for Social Welfare appearing for the respondents.

Initially, the petitioner was appointed as Secondary Grade Teacher on 28.09.1989. Thereafter, he was deputed to Social Welfare Department as Hostel Welfare Officer. Subsequently, his services were absorbed as Hostel Welfare

Officer in the Social Welfare Department *vide* proceedings dated 03.01.2012.

The grievance of the petitioner is that though he worked on deputation as Hostel Welfare Officer since December, 2003, the respondents have absorbed his services only from 3.1.2012.

Learned counsel appearing for the petitioner submits that though the petitioner submitted a representation on 14.9.2018 requesting the respondents to calculate the services rendered by him on deputation as Hostel Welfare Officer for the purpose of seniority and revision of pay scales, no orders have been passed thereon so far. It is prayed that the respondents be directed to consider the said representation and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for the respondents submits that the respondents would consider and pass appropriate orders on the representation submitted by the petitioner.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition can be disposed of directing the respondents to consider the representations submitted by the petitioner on 14.09.2018 and on 17.07.2019 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.

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

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

15th October, 2019
rkk

