

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.22891 OF 2019

ORDER:

This writ petition is being disposed of at the admission stage with the consent of both parties.

This writ petition is filed seeking Writ of Mandamus directing the respondents to declare the services of the petitioners as permanent, as per the definition under Clause 3(1) (PERMANENT) of the Certified Standing Orders of the 2nd respondent and to extend the pay scales of the permanent workmen to the petitioners, in view of nearly three decades of long and meritorious services rendered by them, on the principles laid down by the Hon'ble Supreme Court in **State of Karnataka and others v. Umadevi**¹ and fix the pay scales and other allowances attached thereto on par with the permanent workers as per the judgment rendered by the Hon'ble Supreme Court in **State of Punjab and others v. Jagjit Singh and others**².

Heard Sri A. Ravinder Reddy, learned counsel for the petitioners, and Sri Muralidhar Mutyala, Standing Counsel appearing for the 2nd respondent.

It has been contended by the petitioners that they are working as Man Mazdoor Workers with the respondents since May 1992 and they have completed more than two decades of service, but the respondents are not regularising their services in terms of the law laid

¹ AIR 2006 SC page 1806

² 2017 (1) SCC page 148

down by the Hon'ble Supreme Court in **State of Punjab and others vs. Jagjit Sing** (1 supra) and also not extending the regular pay scale to the petitioners on par with the regular employees in terms of the judgment in **State of Punjab and others v. Jagjit Singh and others** (2 supra).

Counsel for the petitioners submitted that the action of the respondents in not regularising the services of the petitioners and not extending the regular pay scale to the petitioners on par with the regular employees is an arbitrary exercise. Therefore, the counsel submitted that appropriate orders be passed in the writ petition directing the respondents to regularise the services of the petitioners in terms of the law laid down by the Hon'ble Supreme Court in **State of Punjab and others vs. Jagjit Sing** (1 supra) and also to extend the regular pay scale attached to the post in which the petitioners are working, on par with the regular employees.

Standing Counsel appearing for the respondents had contended that the cases of the petitioners would be considered and appropriate orders would be passed in accordance with law, after examining their cases.

This Court, having considered the rival submissions of learned counsel for respective parties, is of the considered view that this writ petition can be disposed of directing the petitioners to submit a representation afresh within a period of two weeks from the date of receipt of a copy of this order staking their claim for regularisation of

their services in view of the law laid down by the Hon'ble Supreme Court in **State of Punjab and others vs. Jagjit Singh** (1 supra) and also for extension of regular pay scale attached to the post in which they are working on par with regular employees. Upon such representation being received, the respondents shall consider the same and pass appropriate orders in another eight weeks thereafter.

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

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

23rd October, 2019
v v

