

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI
WRIT PETITION NOS.25716, 25749, 25757, 25839 AND 25996
OF 2019

COMMON ORDER:

All these writ petitions are being disposed of by way of this common order as the issue raised in these writ petitions is one and the same.

2. For the sake of convenience, the facts in W.P.No.25716 of 2019 are hereunder discussed:

The petitioner in this case is working as Sweeper with the respondent Bank since 2016 and in spite of rendering fairly good length of service on temporary basis, the respondents are not taking any steps to regularise his services and continue him as Sweepers.

3. Counsel for the petitioners had contended that earlier when some part-time sweepers were sought to be discontinued, some of them have approached this Court by filing writ petitions and in one such writ petition being W.P.No.2826 of 2002, which was disposed of on 20.01.2011, this Court directed the respondents to continue the petitioner therein, if any temporary sub-staff appointed along with the petitioner therein, or subsequent thereto, is being continued. Counsel for the petitioners had further contended that since the petitioners herein are similarly situated, appropriate directions be given to the respondents to continue the petitioners as part-time sweepers.

4. On behalf of respondents, counter affidavits are filed in all these writ petitions.

5. Standing Counsel appearing for the respondents had brought to the notice of this Court that the respondent Bank had issued a notification to fill up the posts of Sweepers in Karimnagar and Nizamabad Districts. Standing Counsel further contended that the petitioners, who are working in Nizamabad and Karimnagar Districts, have not chosen to respond to the said notification and that since the respondent Bank had already selected some candidates who had responded to the notification issued in 2017, steps are being taken to appoint such candidates as Sweepers and the petitioners are being discontinued from service in order to make way to the selected candidates in pursuance of the notification issued in 2017. However, the Standing Counsel had contended that if only the petitioners submit representation afresh staking their claim for continuation as Sweepers, the respondent Bank would consider the same and pass appropriate orders in accordance with law.

6. This Court, having considered the submissions of learned counsel for respective parties, is of the considered view that these writ petitions can be disposed of directing the petitioners to submit representation afresh within a period of two weeks from the date of receipt of a copy of this order, staking their claim for continuance as Sweepers on part-time basis. Upon such representation being received, the respondent Bank would consider the same and pass appropriate orders within a reasonable period of time, preferably within three weeks thereafter.

7. Accordingly, these writ petitions are disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

2nd December, 2019
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