

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.(TR) No.1883 of 2017

ORDER:

This writ petition was originally filed before the Administrative Tribunal and later the same was transferred to this Court.

The petitioner is seeking a direction to direct the respondents to review the orders dated 04-10-2008 consequent to disposal of O.A.Nos 7915 of 2008 and 6905 of 2009 filed by one Rajender Raj and direct the respondents to continue the petitioner in service in the post of Physical Director in pursuance to the proceedings dated 20-06-2009 issued by the Principal, Osmania Medical College and respondents be directed to extend the 300 OCS Budget salary from 20-06-2009 after adjusting the amount which was already paid by Osmania Medical College.

Heard Smt.K.Udaya Sree, learned counsel for petitioner and learned Government Pleader for Services-II.

It has been contended by the petitioner that he was appointed as Physical Director on outsourcing basis on 30-12-2006 for a period of one year. Thereafter, services of the petitioner were terminated on 30-04-2007 and he was directed to furnish fresh bio-data for participating in the interview for the post of Physical Director on outsourcing basis. The petitioner, accordingly, attended the interview and after undergoing regular selection process, again he was

appointed as Physical Director on 03-05-2007. The petitioner further submits that one Rajendra Raj, who was also appointed as Physical Director and when his services were terminated, he filed O.A.No.7915 of 2008 before the Administrative Tribunal (for short "the Tribunal") and in pursuance to the orders of the Tribunal dated 25-09-2008, the respondents issued proceedings dated 04-10-2008 continuing the services of said Rajendra Raj on contract basis and terminating the services of petitioner.

It has been contended by the petitioner that when services of Rajendra Raj were terminated, the petitioner was appointed on contract basis. In view of the orders passed by the Tribunal, though said Rajendra Raj is being continued as Physical Director, the petitioner was once again continued as Physical Director on outsourcing basis.

The grievance of the petitioner is that though he is also similarly situated as that of Rajendra Raj, the respondents are not considering his case for appointment as Physical Director on contract basis. It is also the grievance of petitioner that Rajendra Raj, who was applicant in O.A.NO.7915 of 2008, is not continuing as on today and his case can be considered for appointment on contract basis, instead of continuing him on outsourcing basis.

Learned counsel for the petitioner submits that the petitioner submitted a representation to the respondents on 20-01-2014, but they have neither passed orders nor

continuing the petitioner on contract basis. He also submits that the respondents may be directed to consider the representation of the petitioner and pass appropriate orders.

Learned Government Pleader appearing for respondents submits that the case of the petitioner would be considered and appropriate orders be passed on the representation of the petitioner in accordance with law.

This Court, having considered the rival submissions, is of the considered view that the writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner, dated 20-01-2014, 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.

With these observations, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

20-03-2019
Nvl