

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.44361 of 2018

ORDER

This Writ Petition is filed seeking the following relief:

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate writ (i) declare the action of the respondents in not implementing the orders of the Hon’ble Administrative Tribunal in O.A.No.1177 of 2011, dated 28.08.2013 and in not considering the case of the petitioner for regularization of his services in the post of Technical Maistry w.e.f 03.11.2003 as illegal, arbitrary, unjust and discriminatory; and (ii) consequently direct the respondents to regularize the services of the petitioner as Technical Maistry w.e.f 03.11.2003 with all consequential benefits; (iii) and pass such order or other orders as this Hon’ble Court may deem fit and proper in the interest of justice.”

Heard Smt K.Udaya Sri, learned counsel appearing for the petitioner, learned Government Pleader for Municipal Administration and Urban Development appearing for the 1st respondent and learned Standing Counsel appearing for the 2nd respondent.

Learned counsel appearing for the petitioner submits that the order passed by the Tribunal in O.A.No.1177 of 2011, dated 28.08.2013 was confirmed by this Court in a writ petition filed by the petitioner and thereafter, the respondents have further carried the matter in appeal to the

Supreme Court by filing SLP and the same was dismissed, thereby, the orders passed by the Tribunal have become final and that the respondents are bound to implement the orders passed by the Tribunal in O.A. It is prayed that appropriate orders be passed directing the respondents to implement the orders passed by the Tribunal in O.A.No.1177 of 2011, dated 28.08.2013 and regularize the services of the petitioner with effect from 03.11.2003 in terms of the directions given by the Tribunal.

Learned Government Pleader as well as learned Standing Counsel does not dispute the said fact. Learned Standing Counsel appearing for the 2nd respondent submits that in pursuance of the orders passed by the Tribunal, the 2nd respondent has submitted proposals to the 1st respondent to take appropriate action for regularizing the services of the petitioner in terms of the orders passed by the Tribunal.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this Writ Petition can be disposed of directing the respondents to implement the orders passed by the Tribunal in O.A.No.1177 of 2011, dated 28.08.2013 and regularize the services of the petitioner with effect from 03.11.2003, within a

period of three months from the date of receipt of a copy of this order.

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

Miscellaneous petitions, pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

1st August, 2019
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