

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.41638 of 2017

ORDER:

Heard Sri M.Srikanth, learned counsel for the petitioners and Sri Rupendra Mahendra, learned Standing counsel for the respondents. With the consent of both the counsel, this writ petition is being disposed of at the admission stage.

This writ petition is filed seeking the following relief :-

“.....Writ Of Mandamus by declaring the action of the Respondents in not including the petitioners in Fixed Tenure Employees (Field Staff) HR Policy and not extending them the benefits under HR policy on par with Field Staff and also on par with their junior- Sri J.Ramachandrudu, who has been extended the benefits under HR Policy on par with Field Staff with salary protection by Proc.No.207/ SERP/ HR/Con.BL/2015 dated 15.03.2017 is illegal, arbitrary and discriminatory apart being violative of Articles 14, 16 and 21 of the Constitution of India and also declaring that petitioners are also entitled to be extended the benefits under HR Policy with effect from the date when their junior Sri J.Ramachandrudu was extended with all consequential benefits and pass such other

It has been contended by the petitioners that they are working as Consultants in the 3rd respondent Society (SERP). The grievance of the petitioners is that the respondents are not including them in Fixed Tenure Employees (Field Staff) HR

policy and not extending them the benefits under HR policy on par with Field Staff and their junior one J.Ramachandrudu.

Learned counsel for the petitioners contends that though the petitioners have submitted a representation on 10.11.2016 to the respondents, the respondents have not passed any orders on the said representation nor considered their case on par with Field Staff and their junior one J.Ramachandrudu. Therefore, he contends that appropriate orders be passed in the writ petition directing the respondents to consider the cases of the petitioners for extension of benefits under HR policy on par with Field Staff and their junior one J.Ramachandrudu, within a reasonable time.

Learned Standing counsel appearing for the respondents contends that since the representation of the petitioners is pending with the respondents, the respondents would consider the same and pass appropriate orders in accordance with law.

Having regard to the rival submissions made by learned counsel appearing for the respective parties, this Court is of the considered view that this writ petition can be disposed of directing the petitioners to submit a fresh representation to the respondents within a period of two weeks from the date of receipt of a copy of this order seeking extension of benefits under HR policy on par with Field Staff and their junior one J.Ramachandrudu and upon such representation being received, the respondents shall

consider the same and pass appropriate orders in accordance with law, in another eight weeks thereafter.

With the above observations and direction, this writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 14-11-2019
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