

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION (TR) NO.598 OF 2017

ORDER:

When the matter is taken up for hearing, counsel for the petitioner had contended that the issue raised in the present writ petition is squarely covered by the order rendered by a Division Bench of this Court in **Government of A.P. v. N. Venkaiah**¹ and the petitioner in the present writ petition is seeking similar relief of regularisation of his services with retrospective effect from the date of completion of five years in service in terms of G.O.Ms.No.212 dated 22.04.1994. Therefore, counsel for the petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for regularisation of his services from the date on which he has completed five years of service in terms of G.O.Ms.No.212 dated 22.04.1994 and revise the date of regularisation in accordance with the aforesaid settled law.

Government Pleader appearing for the respondents has not disputed about the aforesaid submissions of learned counsel for the petitioner, however, contended that against the batch of regularisation matters, the State has carried the matter in appeal before the Hon'ble Supreme Court and the SLP is pending.

This Court, having considered the submissions of learned counsel for respective parties, is of the considered view that the issue raised in the present writ petition is squarely covered by the order

¹ 2018 (4) ALT 6 (D.B.)

rendered by a Division Bench of this Court in the case of **N. Venkaiah**¹. So far as the contention of the Government Pleader that SLP is pending before the Hon'ble Supreme Court is concerned, mere pendency of SLP will not nullify the order rendered by a Division Bench of this Court in the case of **N. Venkaiah**¹. Since the law laid down by this Court in the case of **N. Venkaiah**¹ is holding the field as on today, the writ petition is allowed and the respondents are directed to consider the case of the petitioner for regularisation of his services with retrospective effect by reckoning his service from the date of completion of five years in service in terms of G.O.Ms.No.212 dated 22.04.1994 and pass appropriate orders within a reasonable period of time, preferably within eight weeks from the date of receipt of a copy of this order. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

6th January, 2020

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