

The Hon'ble Sri Justice T. Amarnath Goud

Writ Petition No. 15706 of 2021

Order :

This is the second round of litigation that the petitioner has resorted to seeking appointment in the aided post of watchman/sweeper or any other Class IV post on the ground that though he has put in more than 19 years of service from the date of his initial appointment on 10.05.2002 on temporary consolidated basis, his case is not being considered on par with other similarly situated persons.

2. Earlier, W.P.No.17995 of 2017 filed by the petitioner in this regard was disposed of by this Court by directing the respondents to consider the proposal submitted by respondent No.5/Correspondent to respondent No.3/Commissioner of College Education to issue suitable orders for appointing the petitioner in the regular post of Sweeper. By impugned proceedings dated 29.02.2020, respondent No.3 rejected the same. Hence, the petitioner is aggrieved further.

3. If the similarly situated persons are regularized by the employer under some scheme or otherwise, non-regularization of the left-over employees would amount to invidious discrimination *qua* them and would be violative of Article 14 of the Constitution.

4. In view of the same, this writ petition is disposed of by granting liberty to the petitioner to approach respondent No.1 with appropriate representation supported by necessary documents in proof of his claim. On such representation being filed, the respondents shall consider the

same in a pragmatic manner in the light of the similarly situated persons and decide the issue in accordance with law and as expeditiously as possible, preferably, within a period of two months from the date of receipt of a copy of this order.

5. As a sequel, miscellaneous petitions, pending if any, stand disposed of as infructuous.

Date: 23.08.2021
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T. Amarnath Goud, J.