

THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

AND

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

Writ Petition No.31648 of 2013

ORDER : *(Per Hon'ble Sri Justice Abhinand Kumar Shavili)*

When the matter is taken up for hearing, learned Government Pleader for Services-I, appearing for the petitioners, has fairly conceded that the issue raised in the present Writ Petition is squarely covered by a judgment rendered by this Hon'ble Court in Writ Petition No.35460 of 2013 and batch, dated 08.06.2018 and that the present Writ Petition is also liable to be dismissed.

2. A learned Division Bench of this Hon'ble Court in Writ Petition No.35460 of 2013 and batch, dated 08.06.2018 has held as under :

"On the above analysis, the Writ Petitions are dismissed but subject to the following conditions :

1. The first respondents-applicants in all these cases shall be subjected to a physical test to ascertain their fitness before being reinducted in service as Home Guards. An objective and transparent procedure shall be adopted by the State and its police officials in this regard and all deserving candidates shall again be enrolled on the rolls of the Home Guards Organization.

2. Enrollment of such deserving candidates shall, however, not have the effect of conferring upon them

the benefit of continuity of service, seniority, arrears of pay etc. for all purposes. Their enrolment would be on par with fresh appointments.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.”

3. This Court, having considered the submissions of the learned Government Pleader for Services-I, appearing for the petitioners, is of the considered view that since similar issue which was raised in the present Writ Petition has already been adjudicated by this Hon’ble Court vide Writ Petition No.35460 of 2013 and batch, dated 08.06.2018, following the order passed in the said writ petition and for reasons alike, the present Writ Petition is also dismissed as above. No costs.

4. As a sequel, miscellaneous applications pending if any in this Writ Petition, shall stand closed.

ABHINAND KUMAR SHAVILI, J

PULLA KARTHIK, J

Date : 06.01.2023

Note :: The Registry is direct to annex copy of the order passed in Writ Petition No.35460 of 2013 and batch, dated 08.06.2018 to the present Writ Petition.

B/o.
Ndr