

HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION No. 8797 of 2017

ORDER:

The relief sought by the petitioner in this Writ Petition is that subsequent to his joining as Shramik in the respondents' organization, the petitioner made a representation dated 06.10.2016, requesting respondent No.3 to consider his case for his appointment as Regular Shramik with effect from 01.01.2003 i.e., the date of regularization on par with his juniors along with back wages and regular scale of pay.

Brief facts of the case are that the petitioner was appointed as Casual Driver in the year 1989 and allotted employee number as E.290094 and his services were regularized in the year 1992. It is submitted that unfortunately, the petitioner was removed from service on 22.11.1992 alleging that he was found absconding for 65 days. On an appeal filed by the petitioner, by an order, dated 13.04.1993, the petitioner was reinstated into service subject to medical fitness. During the medical examination, the petitioner was found unfit for A-1 Category due to defective vision and in the appeal filed before the Medical Board also he was found unfit for A-1 category.

Aggrieved by the same, the petitioner filed W.P.No.21585 of 2000. By an order, dated 24.11.2000, this Court directed the respondents to consider the case of the petitioner and pass appropriate orders on the representation of the petitioner dated 28.09.2000 within a period of three months from the date of receipt of a copy of the said order. In spite of several representations made, the respondent-authorities have not complied with the direction passed in W.P.No.21585 of 2000. Therefore, the petitioner filed C.C.No.1050 of 2001 against the Regional Manager, Medak District. Upon receipt of notice in the contempt case, respondent No.3 had issued proceedings dated 25.08.2001 informing the petitioner that his name had been registered in the waiting list for appointment to the post of Cleaner in Medak Region and that he figured at Sl.No.9 of the said list. The petitioner was further informed that his case would be considered as and when vacancies arose as per the said waiting list. Aggrieved by the action of respondent No.3, the petitioner again approached this Court by filing W.P.No.25103 of 2001. By an order, dated 30.08.2012, this Court directed the A.P.S.R.T.C. to consider the case of the petitioner forthwith for providing him alternative employment

in a suitable post. Thereafter, the services of the petitioner were regularized with effect from 01.06.2016 instead of 01.01.2013. Therefore, the petitioner filed the present Writ Petition.

Today, when the matter has been taken up for hearing, none appeared for the respondents. On earlier occasion i.e., on 02.02.2023 also none appeared for the respondents.

The learned counsel for the petitioner restricts his prayer seeking a direction to the respondents to consider the representation, dated 06.10.2016 made by the petitioner and dispose the same in a time bound manner. Since no counter has been filed by the respondents, this Court deems it appropriate to direct the respondents to dispose of the representation made by the petitioner.

Without going into the merits of the case and having regard to the facts and circumstances of the case, the present Writ Petition is disposed of, directing respondent No.3 to dispose of the representation, dated 06.10.2016, in accordance with law, as expeditiously as possible, preferably within a period of four (04) weeks from the date of receipt of the order,

after giving a fair opportunity of hearing to the petitioner and communicate the same to the petitioner. No order as to costs.

Consequently, miscellaneous applications, if any, pending shall stand dismissed. There shall be no order as to costs.

N.V.SHRAVAN KUMAR, J

10.02.2023
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