

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

AND

THE HON'BLE SRI JUSTICE PULLA KARTHIK

Writ Petition No.13971 of 2014

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

This Writ Petition is filed by the petitioner under Article-226 of the Constitution of India seeking a 'Writ of Mandamus' by calling for records relating to the order passed by the Andhra Pradesh Administrative Tribunal (for short, 'the Tribunal'), Hyderabad in O.A.No.8865 of 2010, dated 19.08.2013 and to quash the same.

2. Heard Mr. P. Raghavendar Reddy, learned counsel for the petitioner and Mr. A. Jagan, learned counsel for the respondents

3. Learned counsel for the petitioners contended that the respondents are appointed as Sweepers and Watchmen and were seeking regularisation of their services and they have approached the Tribunal by

filing O.A.No.8865 of 2010. The Tribunal vide orders, dated 19.08.2013 was pleased to dispose of the O.A by directing the petitioners to consider the case of the respondents for regularisation of their service in the existing vacancies in the Last Grade Service like Watchman, Sweeper etc., without appreciating any of the contentions raised by the petitioners. Therefore, appropriate orders be passed in the writ petition setting aside the orders passed by the Tribunal in O.A.No.8865 of 2010, dated 19.08.2013 and allow the writ petition.

4. On the other hand, the learned counsel for the respondents had contended that the respondents were working as Watchmen, Sweepers and Ferrash since 1986 and in terms of G.O.(P) No. 112, dated 23.07.1997 and G.O.Ms.No.212, dated 22.04.1994, the Tribunal was justified in disposing of the O.A by directing the petitioners to consider their cases for regularisation. Therefore, there are no merits in the Writ Petition and the same is liable to be dismissed.

5. This Court, having considered the submissions made by the parties, is of the considered view that admittedly, the respondents are working as Sweeper, Watchmen and Ferrash for more than two (2) decades and the Tribunal was justified in directing the petitioners to consider their cases for regularisation of their services. We are not able to understand how the petitioners are aggrieved to consider the case of the respondents since the Tribunal has merely directed the petitioners to consider the case of the respondents for regularisation of their services. Therefore, this Court is not inclined to interfere with the orders passed by the Tribunal. Moreover, since the respondents were already retired from service, the petitioners shall consider their cases for regularisation and for granting service benefits to which they are entitled.

6. With these observations, the Writ Petition is dismissed. No costs.

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

ABHINAND KUMAR SHAVILI, J

PULLA KARTHIK, J

Date : 10.02.2023
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