

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF JULY

TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 7806 OF 2007



Between:

P. Narayana, s/o Rangaiah, Aged 64 years, Retired Railway Employee (MCM B Layer) South Central Railway, Guntur r/o H.No.57-2-18/46, OPP:Railway Quarters, Santhapeta, Ongole, Prakasam District.

...PETITIONER

AND

1. Railway Board, Represented by its Secretary, Rail Bhavan, New Delhi.
2. General Manager, South central Railway, Rail Nilayam, Secunderabad.
3. Divisional Railway Manager, South Central Railway, Vijayawada Division, Vijayawada.
4. Senior Divisional Accounts Officer, South Central Railway, Vijayawada.

...RESPONDENTS

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of certiorari calling for the records in respect of O.A.No.774 of 2003 and order in O.A.NO.774/2003 dated 7-11-2006 on the file of Central Administrative Tribunal, Hyderabad and quash the same as illegal and contrary to provisions contemplated under law and further to declare sub-para 2 of para 2005 of the Indian Railway Establishment Manual whereunder it is prescribed that the casual labour including project casual labour should be eligible to count only half the period of service

rendered by them after attaining temporary status on completion of prescribed days of continuous employment and before regular absorption, as qualifying service for the purpose of pensionary benefits, is arbitrary, and it violates Article 14, 16 and 21 of the Constitution of India and direct the respondents to add the service rendered by the petitioner from 12-09-1966 to 10-3-1977, that is the period when the petitioner continued as a temporary workman to the service rendered by him from 10-3-1977 to 30-6-2002, that is the period when the petitioner's services were regularized and he became regular employee or in the alternative if the Hon'ble Court comes to the conclusion that sub-para 2 of para 2005 of the Indian Railway Establishment Manual is a valid rule, 50% of the service rendered by the petitioner as temporary servant is to be added to the regular service and revise the pensionary and other benefits accordingly including leave salary 240 days.

I.A. NO: 1 OF 2010(WPMP. NO: 30620 OF 2010)

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct for deletion of the petitioner / respondent No.1 in the Writ Petition from the array of the respondents.

I.A. NO: 1 OF 2013(WPMP. NO: 30654 OF 2013)

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to fix an early date for final hearing of the above writ petition.

I.A. NO: 1 OF 2016(WPMP. NO: 13127 OF 2016)

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to consider the Office Memorandum No.E(NG)II/2014/CL/14 Dt.25th Nov., 2014 issued by the Ministry of Railways and direct the respondents to calculate the service

from 12-09-1966 and grant pension as per the Office Memorandum No.E(NG)II/2014/CL/14 Dt.25th Nov., 2014.

I.A. NO: 1 OF 2007(WPMP. NO: 10021 OF 2007)

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to fix an early date for final hearing in the above writ petition.

Counsel for the Petitioner :SRI. P KRISHNA REDDY

Counsel for the Respondents: ALEKHYA TADASINA(CENTRAL GOVT COUNSEL)

The Court made the following: ORDER



APHCO10041012007



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3470]

WEDNESDAY, THE TENTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 7806/2007

Between:

P.narayana, Prakasam District.

...PETITIONER

AND

Railway Board By Secy New Delhi 3 Others and Others ...RESPONDENT(S)

Counsel for the Petitioner:

1.P KRISHNA REDDY

Counsel for the Respondent(S):

1.ALEKHYA TADASINA(CENTRAL GOVT COUNSEL)

The Court made the following order: (*per Hon'ble Sri Justice Ravi Nath Tilhari*)

No representation for the petitioner.

2. Sri Venkatesh Reddy, learned counsel appears for Ms. Alekhya Tadasina, learned Central Government Counsel for the respondent Nos. 1 to 4.

3. The matter pertains to the year 2007 and is listed under the caption of 'Specially Identified Cases'.

4. The Writ Petition is dismissed for want of prosecution.

5. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall also stand closed.

Sd/- K L PAVANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. P KRISHNA REDDY, Advocate [OPUC]
2. One CC to SRI. R S MURTHY (CENTRAL GOVT COUNSEL) [OPUC]
3. One CC to M/S ALEKHYA TADASINA (CENTRAL GOVT COUNSEL) [OPUC]
4. Three CD Copies

PRK

HIGH COURT

DATED:10/07/2024

ORDER

WP.No.7806 of 2007



**DISMISSING THE WP FOR WANT OF PROSECUTION
WITHOUT COSTS**