

(1997) 11 AP CK 0099
In the Andhra Pradesh High Court
Case No : W.A. No. 1254 of 1997

T. Gangadhar

APPELLANT

Vs

Regional Manager, APSRTC, Ongole and Another

RESPONDENT

Date of Decision : 24-11-1997

Acts Referred:

Citation : (1998) 3 ALD 602 : (1998) 2 ALT 568

Hon'ble Judges : S.S.M. Quadri, Acting C.J.;B.V. Ranga Raju, J

Bench : Division Bench

Advocate : Mr. P.S. Prattipati Venkateswarlu, for the Appellant; Mr. S.A. Chari for APSRTC, for the Respondent

Judgement

1. The appellant-petitioner sought a direction that his case for absorption be considered in terms of the orders of this Court in W.P-No. 11554 of 1996 dated 27-8-1996. On 3-4-1997, the learned single Judge dismissed the writ petition. That is the order which is assailed in this writ appeal.

2. Mr. Prattipaiti Venkateshwarlu, the learned Counsel for the appellant-petitioner, submits that the other displaced employees were absorbed, but the appellant petitioner alone has been deprived of the claim of providing employment. A perusal of the order of the learned single Judge shows that the claim of the appellant-petitioner was considered to be a stale claim.

3. The bus in which the petitioner-appellant is said to have worked as cleaner in A.P.N.4584; the route on which the said bus was plying was nationalised in the year 1985-86. The appellant-petitioner agitated his right to be absorbed in W.P.No.20863 of 1994 which was disposed of on 16-2-1995 with a direction to consider the application of the petitioner, hi view of the above direction, the claim of the appellant-petitioner was considered and rejected on 21-6-1995. The appellant-petitioner filed another writ petition -W.P.No.11554 of 1996 - in August 1996. In that also a direction was issued to consider the claim of the appellant-petitioner for absorption in terms of the scheme framed by the respondents-

Corporation as well as the guidelines laid down by this Court. In response to that direction the claim of the appellant-petitioner was considered and appellant-petitioner was informed by order dated 17-12-1996 that forty six (46) posts of cleaners have been earmarked for displaced employees and accordingly they have already been absorbed. In so far as the vehicle on which the appellant-petitioner had worked viz., APN 4584, it was pointed out that two drivers and four conductors were also identified and were absorbed into service and there are no vacancies of driver and conductor. It appears that the post of Conductor/Cleaner was treated as interchangeable and on that basis the case of the appellant-petitioner was rejected. We are unable to find any illegality in the order of the learned single Judge. The claim of the appellant-petitioner that he has displaced in the year 1986 was considered and having regard to the number of vacancies available for the bus in which appellant-petitioner was working, the appellant-petitioner could not get a chance as all the vacancies were filled up. We find no merit in the writ appeal. It is accordingly dismissed.