

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
WEDNESDAY, THE TENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR



:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
WRIT PETITION NO: 44747 OF 2016

Between:

Visakha Port Trust Staff Association, Affiliated to Indian Federation of Port & Dock Workers, Rep. by its General Secretary, Kandala Prabhakar Rao, S/o. K. Samba Murthy, Aged about 64 years, Visakhapatnam.

AND

...Petitioner

1. Union of India, Ministry of Shipping, PHRD Division (Labour Section), Rep. by its Secretary, Transport Bhavan, 1 - Parliament Street, New Delhi - 110001.
2. Visakha Port Trust, Rep. by its Chairman, Port Area, Visakhapatnam.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to Issue a Writ of Mandamus or any other appropriate Writ or Order or Orders, Direction or Directions to declare the action of the respondents in refusing to regularize the service of the members of the petitioner Union working as Pool Khalasis, shown in the annexure, on the ground of general ban as illegal, arbitrary and unconstitutional and to direct the 2nd respondent to regularize the service of the said Pool Khalasis with all consequential benefits by declaring their continuation on consolidated pay as an Unfair Labour Practice

IA NO: 1 OF 2016(WP.M.P.No.55183 OF 2016):

Petition under Section 151 of 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 2nd respondent to continue the members of the petitioner Union, shown in the annexure filed herewith, as Pool Khalasis on payment of salaries on par with the regular employees discharging similar work in the respective Departments of the Port, Pending disposal of WP 44747 of 2016, on the file of the High Court.

IA NO: 5 OF 2018

Petition under Section 151 of 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 2nd respondent to pay the members of the petitioner Union who are working as Pool Khalasis, whose names are shown in the Annexure to the writ petition, minimum in the time scale of pay as applicable

to the regular employees doing similar job in its organization, Pending disposal of WP 44747 of 2016, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier Order of the High Court dated. 17.12.2020, made herein and upon hearing the arguments of SRI VEDULA SRINIVAS Advocate for the Petitioner, and of M/s S SIVA KUMARI Advocate for the Respondent No.1, and of SRI P.SRIRAM, Advocate for the Respondent No.2, the Court made the following

ORDER:

Learned counsel for the writ petitioners are hereby directed to produce the names and appointment orders of the petitioners and the learned counsel for the respondents is also hereby directed to produce the relevant record pursuant to the issue in the present case.

Post on 24.01.2024.

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

For A

SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of Shipping, PHRD Division (Labour Section), Transport Bhavan, 1 - Parliament Street, New Delhi - 110001.
2. The Chairman, Visakha Port Trust, Port Area, Visakhapatnam.
(Addressees 1 & 2 by SPEED POST)
3. One CC to SRI. VEDULA SRINIVAS Advocate [OPUC]
4. One CC to SRI P.SRIRAM, Advocate [OPUC]
5. One CC to M/s S SIVA KUMARI Advocate [OPUC]
6. One spare copy

PSR

HIGH COURT

TRR,J

DATED:10/01/2024

NOTE: POST ON 24.01.2024.

ORDER

WP.No.44747 of 2016

INTERIM DIRECTION

