

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

(Special Original Jurisdiction)

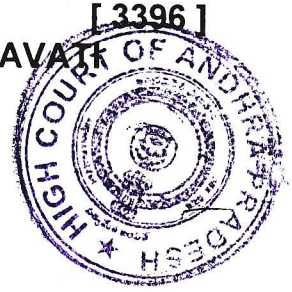
THURSDAY, THE EIGHTH DAY OF MAY

TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 4725 OF 2019



Between:

M.S. Naik, E-627711, APSRTC Driver, S/o. Ram Naik, aged about 47 years, Markapuram Depot, R/o. Markapuram, Prakasham District, A.P.

...Petitioner

AND

1. The A.P.S.R.T.C., rep by its Managing Director, PNBS, Vijayawada, Krishna District, AP.
2. The Regional Manager, A.P.S.R.T.C., Prakasham Region, at Ongole, Prakasham Dist.
3. The Depot Manager, A.P.S.R.T.C., Markapuram Depot, Prakasham District.

...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 an order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not regularizing the services of the petitioner in the existing vacancies since he was appointed in the Backlog Vacancies in ST category as capricious, unconstitutional, and as such liable to be set aside in the interest of justice with a consequential direction to the respondents to Regularize the services of the petitioner at least on par with his colleagues w.e.f 1-1-2010 with all consequential benefits forthwith.

IA NO: 1 OF 2019

Petition under Section 151 CPC 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 herein to Regularize the services or the petitioner on par with his colleagues forthwith by considering his representation Dt 12-5-2015 forthwith;

Counsel for the Petitioner: SRI. P GOVINDA RAJULU

Counsel for the Respondents: SRI SANISETTY VENKATESWARLU SC

For APSRTC

The Court made the following:

APHC010105012019



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

[3396]

THURSDAY, THE EIGHTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 4725/2019

Between:

M S Naik

...PETITIONER

AND

The A P S R T C and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.P GOVINDA RAJULU

Counsel for the Respondent(S):

1.SANISETTY VENKATESWARLU SC For APSRTC

2..

The Court made the following ORDER:

This Writ Petition is filed under Article 226 of Constitution of India with the following prayer for:

"...to issue an order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not regularizing he services of the petitioner in the existing vacancies since he was appointed in the Backlog Vacancies in ST category as capricious unconstitutional and as such liable to be set aside in the interest of justice with a consequential direction to the respondents to Regularize the services of the petitioner at least on par with his colleagues w e f 1.01.2010 with all consequential benefits forthwith..."

2. Heard Sri P.Govinda Rajulu, learned Counsel for the petitioner and the learned Standing Counsel for A.P.S.R.T.C for the respondents.
3. Learned counsel for the petitioner would submit that the petitioner worked as Driver. Thereafter, he was removed from service. The parties entered Lok-adalat and award has been passed on 22.08.2014, wherein the respondent-authorities agreed to reinstate the petitioner as fresh candidate. As such the petitioner was reinstated into service on 02.11.2014. Learned counsel would further submit that services of the petitioner were regularized in the year 2016 whereas, services of his batchmates were regularized in the year 2010. Learned counsel would further submit that as the petitioner earlier worked for more than 240 working days, even prior to the Lok-adalat award on par with others, he is also entitled for regularization from the year 2010.
4. Learned Standing Counsel vehemently opposed the petition and would submit that in the light of the Lok-adalat Award, the petitioner was reinstated into service as a fresh candidate. So he could not claim any relief basing on his earlier service.
5. Considering the submissions made and a fair look at the material placed on record, there is some merit in the contention of the learned Standing Counsel that the petitioner cannot claim anything relating to his earlier service to the date of Lok-adalat Award. As rightly put by the learned Standing Counsel, when the parties agreed before the Lok-adalat, award might have passed by the Lok-adalat on the terms agreed between the



parties. Such being the case, unless award is set aside, the petitioner cannot claim any right over his services earlier to the subject award. In that view, this Court does not feel any merit in the contention of the petitioner. Hence, the petition is liable to be dismissed.

6. In the result, the Writ Petition is dismissed. No order as to costs.

Pending applications, if any, shall stand closed.

Sd/- G. HELA NAIDU
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

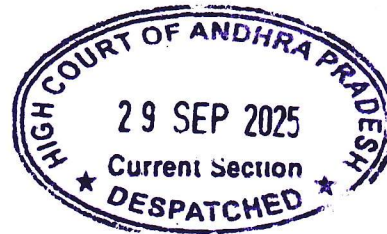
1. One CC to SRI. P GOVINDA RAJULU Advocate [OPUC]
2. One CC to SRI. SANISETTY VENKATESWARLU SC For
APSRRTC Advocate [OPUC]
3. **Three CD Copies**

HIGH COURT

DATED:08/05/2025

ORDER

WP.No.4725 of 2019



DISMISSING THE WRIT PETITION WITHOUT COSTS