

HIGH COURT OF ANDHRA PRADESH

MAIN CASE NO.: W.P.No.5851 of 2021

PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
1.	10.03.2021	<p><u>MSM,J</u></p> <p style="text-align: center;"><i>(Takenup through video conference)</i></p> <p>Heard Sri Ganta Rama Rao, learned Senior Counsel for the petitioners and Sri N. Harinath, learned Assistant Solicitor General for the respondents.</p> <p>The Assistant Solicitor General seeks time to file counter.</p> <p>Learned Senior Counsel for the petitioners Sri Ganta Rama Rao contended that the petitioners are working in URC (Unit Run Canteens) since long time on contract basis. The respondents issued advertisement calling for applications to appoint in various posts fixing date of interview on 12th and 13th of March 2021. The respondents proposed to fill vacancies on contract basis displacing the petitioners. Therefore, substitution of one contract employee by another contract employee is contrary to the principle laid down by the Apex Court in <i>State Of Haryana And Ors. vs Piara Singh And Ors.</i>¹ The petitioners did not produce any material to establish that they are continuing as employees on contract basis.</p> <p>The respondents fixed the date of completion of interviews i.e. on 12th and 13th of March 2021. If, for any reason, the interviews are interdicted, it is difficult for the respondents to complete the process of</p>	

¹ 1992 AIR 2130

10.03.2021
(continuation)

selection. However, completion of interviews would not cause any prejudice to the petitioners, if they are continued as employees on contract basis in URC (Unit Run Canteens).

The learned Assistant Solicitor General also raised an objection regarding jurisdiction of this Court, as the salary to the petitioners is being paid at the office at Hyderabad, but such objections cannot be decided at this stage, since the petitioners are working in URC (Unit Run Canteens) within the jurisdictional limits of High Court of Andhra Pradesh. Hence, no finding is recorded on the jurisdiction, at this stage.

Having considered the facts and circumstances of the case, the respondents are directed to complete the interviews, but not to finalize the selection of employees on contract basis in pursuance of the Notification impugned for a period of 4 (four) weeks.

Post after 4 (four) weeks for filing counter.

MSM,J
JKS

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