

ITEM NO.15

COURT NO.9

SECTION XII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 12973/2022

(Arising out of impugned final judgment and order dated 25-04-2022 in WA No. 616/2021 passed by the High Court For The State Of Telangana At Hyderabad)

A.P.GRAMEENA VIKAS BANK

Petitioner(s)

VERSUS

YELLANKI SRINIVAS & ORS.

Respondent(s)

(FOR ADMISSION)

WITH

SLP(C) No. 12986/2022 (XII-A)

(FOR ADMISSION and I.R. and IA No.103096/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 13200/2022 (XII-A)

(FOR ADMISSION)

SLP(C) No. 13143/2022 (XII-A)

(FOR ADMISSION and I.R.)

Date : 12-08-2022 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Ms. V. Mohana, Sr. Adv.
Mr. Mullanpudi Rambabu, Adv.
Ms. Prity Kumari, Adv.
Mr. N. Eswara Rao, Adv.
For M/s. M. Rambabu And Co., AOR

For Respondent(s) Mr. Pratap N. Sanghi, Sr. Adv.
Mr. Krishna Kumar Singh, AOR
Mr. Avadesh Narayan Sanghi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

We have heard Ms. V. Mohana, learned Senior Advocate,
appearing for the petitioner-Bank and Mr. Pratap N. Sanghi, learned

Senior Advocate with Mr. Krishna Kumar Singh, learned AOR, appearing for the respondents - original writ petitioners.

Ms. Mohana, learned Senior Advocate, has submitted that, as such, the concerned employees were working as daily wagers/casual workers/part-timers and they have not even put in 5 to 10 years of service and they cannot be said to be in continuous service.

She has further submitted that, as such, there are no sufficient sanctioned posts on which the concerned employees can be regularized. It is further submitted that the sanctioned strength is to be determined after getting approval from the National Bank for Agriculture and Rural Development [NABARD]. It is further submitted that the directions issued by the High Court can be said to be too vague and just following the earlier order passed in the case of one another Bank which shall not be applicable so far as the petitioner-Bank is concerned.

It is further submitted that, after 2018, all the concerned employees-messengers/attenders are appointed through Contractors.

On the other hand, Mr. Pratap N. Sanghi, learned Senior Advocate, for the original writ petitioners has submitted that, as such, by the impugned judgment and order, the High Court has directed to frame the Scheme for regularization and thereafter to consider the case of each employee independently and individually.

Having heard learned counsel for the respective parties and having gone through the impugned judgment and order passed by the Division Bench as well as the learned Single Judge, it can be seen that, as such, there are no specific directions issued by the High Court directing the petitioner-Bank to regularize the services of

the concerned employees-messengers/attenders/original writ petitioners. The High Court has only directed to frame the Scheme for regularization - the modalities and the manner in which the regularization Scheme should be framed is left to the petitioner-Bank. The High Court has directed that, after the regularization Scheme is framed, the case of each concerned employee-messenger/attender/original writ petitioner shall be considered individually.

In that view of the matter and with the above clarification, we see no reason to interfere with the impugned judgment and order passed by the High Court.

The Special Leave Petitions stand dismissed/disposed of.

Pending applications, if any, stand disposed of.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR