

**(2014) 02 KAR CK 0388**

**In the Karnataka High Court**

**Case No : Writ Petition No. 85959/2012 (S-RES)**

Basappa

APPELLANT

Vs

The Managing Director, Karnataka Power Transmission  
Corporation Limited

RESPONDENT

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**Date of Decision : 11-02-2014**

**Acts Referred:**

**Citation : (2014) 02 KAR CK 0388**

**Hon'ble Judges : Mohan M. Shantana Goudar, J**

**Bench : Single Bench**

**Advocate : Girish P.S, Advocate for the Appellant; R.S. Patil, Advocate 1,  
Advocate for the Respondent**

**Final Decision : Dismissed**

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## **Judgement**

Mohan M. Shantana Goudar, J.—Petitioner applied for the post of Junior Engineer pursuant to the notification dated 26.8.2009 issued by the respondent. The petitioner was selected and his documents were verified. The grievance of the petitioner is that though he is selected and appointed, he is not permitted to join for duty w.e.f. 1.9.2010.

2. The respondent's counsel has filed a memo alongwith the documents to show that the petitioner was issued with the appointment order, but he failed to join for duty. The memo alongwith the documents are taken on record.

3. Undisputedly the petitioner was selected for the post of Junior Engineer. Petitioner was sent a notice on 27.8.2010 through registered post to the address provided by him calling upon him to appear before the KPTCL, Vidyuthnagar, Hubli on 1.9.2010 and to join for duty. However the petitioner did not choose to appear to join for duties before the respondent on 1.9.2010. The petitioner subsequently approached the office of the respondent and pleaded that the notice sent to him on 27.8.2010 was not served on him and therefore he should be given another opportunity to appear and join for duty. Accordingly after due

correspondence between the officers of the respondent Corporation, another letter was issued to the petitioner on 9.2.2011 through registered post calling upon him to report for duty on 23.2.2011 before the Chief Engineer, Electricity Transmission Zone, KPTCL, Gulbarga. In the very letter dated 9.2.2011, it is clarified by the respondent that in case if the petitioner fails to report on the specified date, it is presumed that the petitioner is not interested in the appointment and his claim for appointment automatically stands cancelled without any further intimation to him. Certain original records were to be produced by the petitioner at the time of joining for duty. The said letter dated 9.2.2011 was also sent through registered post to the very address given by the petitioner in the application. The letter dated 9.2.2011 issued by the respondent to the petitioner was sent to the very address as shown in the cause title of this writ petition, which clearly means that the registered post containing the letter dated 9.2.2011 was sent to the petitioner's address only. Thus it is presumed that the petitioner has received the notice, but has not appeared and joined for duty.

It is most unfortunate that despite granting leniency in, favour of the petitioner, he failed to utilize the opportunity by joining for duty. In view of the same, the relief as sought for by the petitioner cannot be granted.

Petition fails and the same stands dismissed.