

(2011) 11 KAR CK 0037

In the Karnataka High Court

Case No : Writ Petition No"s. 15653-660-of 2011 (S-TR)

Pandurangaiah G and Others

APPELLANT

Vs

The State of Karnataka

RESPONDENT

Date of Decision : 19-11-2011

Acts Referred:

Citation : (2011) 11 KAR CK 0037

Hon'ble Judges : Anand Byrareddy, J

Bench : Single Bench

Advocate : Adinatha Narde and Revathy Associates, for the Appellant;
Raghavendra G. Gayathri, HCGP, for the Respondent

Final Decision : Allowed

Judgement

Hon"ble Mr Justice Anand Byrareddy

1. Heard the learned counsel for the petitioner and the learned Government Pleader.
2. Having regard to the facts and circumstances, the petitions are disposed of at the state of preliminary bearing.
3. The facts are the petitioners are regular employees of different primary school, which were under the private management in Challekero Taluk of Chitradurga District The management was taken over and stood vested in the States Government as on 8.7.1987 and a Special Officer appointed in the stead had dosed down the petitioners" institutions and had reported the matter to the State Government to transfer the employees including the petitioners of those institutions to the other institution of the State Government since the entire assets and liabilities of those institutions were taken over, It is thus the petitioners" claim that the Management of the petitioners" institution stood vested with the State Government and they stood absorbed into the services of the State Government Inspite of their several representations claiming salary mind other benefits, the Government sat over the same and did not pass

appropriate orders. The petitioner had, therefore approached this Court earlier, by way of a writ petition in W.P. Nos. 24391-24402/04 and 9582/05. This writ petitions were allowed with a direction to consider their case, In spite of the orders passed by this Court, the respondents did not take any further action. It is the petitioners' further case that one person, who was similarly placed, having approached this Court in yet another writ petition has been conferred the benefit whereas the case of petitioners has not been considered. Therefore as a last resort, the petitioners are again before this Court

4, Since the petitioners have placed some material before this Court to substantiate their claim that the institutions in which they were employed were indeed taken over by the State Government, it is inexplicable the State Government has, over the years, not considered their plight and passed appropriate orders.

5. Accordingly, the petitions are allowed. The respondents are directed to implement the Government Order dated 26.6.1999 at Annexure-"B" and the second respondent shall, after examination of the claim of the petitioners, disburse the salaries of the petitioners from 8.7.1997, if they are so entitled and pass appropriate orders for their transfers to other districts in appropriate posts whenever available in order to implement the orders at Annexure-"B" The respondents shall comply with, this direction at the earliest, in any case, within a period of eight weeks, if not earliest, from the date of receipt of a certified copy of this order.