

(2011) 08 KAR CK 0010

In the Karnataka High Court

Case No : Writ Petition No's. 29228-29227 of 2011 (GM-RES)

Shri B.H. Somashekar and Others

APPELLANT

Vs

The State of Karnataka

RESPONDENT

Date of Decision : 11-08-2011

Acts Referred:

Citation : (2011) 08 KAR CK 0010

Hon'ble Judges : A.S. Bopanna, J

Bench : Single Bench

Advocate : B.B. Goudar, for the Appellant; H.T. Narendra Prasad, HCGP, for the Respondent

Judgement

A.S. Bopanna

1. Learned Government Advocate to accept notice for Respondents No. 1to 4 and file memo of appearance in four weeks.

Heard the learned Counsel appearing for the parties and persued the petition papers.

2. The Petitioners are before this Court claiming that they are working in the Karnataka State Reserve Police. In addition to the other services rendered by them, it is contended that their services were utilised by induction them in special Talk Force ("the STF" For short) which was constituted for the specific and sole purpose of capturing the forse brigand Veerappan in M.M. Hills in Chamarajansger. The Petitioners contend that they were also the Serving Parsonnal among the 754 members of the STF, who were involved in the poeration which ultimately resulted in killing of Veerappan on 18.10.2004. The case Petitioners is that the Respondents by their circulars which are produced along with the writ petitions had announced rewaes for the person who had served in the STF. In this regard, it is also the contention of the Petitioners that when the same had not been complied with by the Respondents, certain other members of the STF approached this Court by filing W.P. 19957/2009 seeking a

direction for allotment of sites. The said petition was disposed of on 21.07.2009

3. The further proceedings relating to the same in the contempt matter is also referred to. The Petitioners further contend that the said issue had arisen for consideration before this Court and this Court after considering the same in the case of K. Ningaraju and Others Vs. The State of Karnataka, had issued directions with regard to the manner in which the circulars are to be implemented. It is also contended that they are aimilarly placed Police Personnel as that of the persons to whom benefite have been extended and therefore, the Petiioners have also made representations as at Annexure - F1 to F50. The griveance of the etitioners is that the Respondents have neither considered the representations nor have rewarded te Petitioners. Therefore, appropriate directions are to be issued to the Resp[ondents.

4. Learned Government Advocate would state that at the outsed, the Respondents would have to verify the correctness or otherwise of the details stated in the representations as at Annsexures- F 1. to F 50 and consider as to whether the Petitioners-are similarly placed as that of the persons to whom the circulars would apply and also whether they are entitled to the benefit that has been extended by this Court in the cited decision. It is only after recording a finding on that aspect of the matter, the further consideration of representations would arise and the said exercise in any event would have to be undertaken by the Respondent.

5. Taking nots of the above and considering the feet that the representations as at Annexures-F1 to F50 have been submitted only during the month, of July 2011 by the Petitioners and even assuming that the Petitioners have made representations earlier, the fact as to whether the Petitioners are similarly placed as that of the personnel is whom the benefits have been extended is a matter which would have to be looked into by the Respondents. Therefore, at this stage, no positive direction could be issued in. the instant petitions to direct the Respondent to grant the reward to the Petitioners.

6. However an appropriate direction requires to be issued to the fourth Respondent to consider and dispose of the representations as at Annexure F1 to F50 taking note of the claim made by the Petitioners and keeping in view the circulars of the Government as also the decision of this Court to which a reference has been made during.the course of this order.

7. Hence, the fourth Respondent to whom the representations have been made is directed to consider the same in accordance with law and intimate the Petitioners one way or the other as expeditiously as possible. To hasten the process of consideration, the Petitioners are granted liberty to file one more set of representations as at Annexure-F1 to F50 along with necessary supporting documents with the office of the fourth Respondent within a period of four weeks from the date of receipt; of a copy of this order, The fourth Respondent on receipt of the same shall verify the case of the Petitioners and pass a well-

reasoned order and intimate the Petitioners, the result of such consideration of the representations made in accordance with law as expeditiously as possible, but list later than three months from the date of receipt of a copy of this order along with the copies of the representations.

With the above directions these petitions stand disposed of No order as to costs.