

(2013) 12 KAR CK 0034

In the Karnataka High Court

Case No : Writ Petition No"s. 103831-103838 of 2013 (S-RES)

Shrishail S. Kumbar and Others

APPELLANT

Vs

The State of Karnataka

RESPONDENT

Date of Decision : 10-12-2013

Acts Referred:

Citation : (2013) 12 KAR CK 0034

Hon'ble Judges : Ram Mohan Reddy, J

Bench : Single Bench

Advocate : Thyagaraja S., for Sri R. Padmanabha, for the Appellant; Manvendra Reddy, Govt. Advocate, for the Respondent

Final Decision : Disposed Off

Judgement

Ram Mohan Reddy, J.—1st petitioner claims to have been appointed as "Assistant Teacher" on 30.5.1992, 2nd petitioner on 30.5.1992, 3rd and 4th petitioner on 31.5.1992, 5th petitioner on 27.12.1997, 6th petitioner on 27.12.2002, 7th petitioner on 28.12.1997 and 8th petitioner as "Second Division Assistant" on 28.12.1997 at Sri Siddeshwara High School, Jigajevani, Indi Taluk, Bijapur District. According to the petitioners, all the petitioners obtained order dated 14.6.2012 approving their appointment along with salary grant. Petitioners aggrieved by non consideration of their representation to extend the service benefits from the date of their initial appointment and not from the date of approval of appointment with aid, have presented these common petitions for a writ in the nature of mandamus. Learned Government Advocate, when directed to take notice for respondents 1 to 3, submits that in the light of the decision of the learned single Judge in writ petition No. 19431/2005 and connected petitions in "V.T.S. Jeyabal v. State of Karnataka and Others" D.D. 13.10.2006, reckoning the service of the Teachers from the date of initial appointment in the private educational institution instead of the date of admission of the institution to Grant-in-Aid or the date of approval of appointment of the teachers, for the purpose of fixation of pay scales, seniority and all consequential benefits, when called in

question, in a writ appeal and thereafter before the Apex Court, the appeal and the petition before the Apex Court, were rejected, affirming the decision in Jeyabal's case.

2. In that view of the matter, respondents are directed to reckon the petitioners' service from the date of their initial appointment and not from the date of approval of their appointment with aid and entitle the petitioners to all service benefits within three months.

Writ petitions are disposed of.