

(2010) 03 KAR CK 0181
In the Karnataka High Court
Case No : Writ Petition No. 5870 of 2010

Sri B.P. Siddappa

APPELLANT

Vs

The State of Karnataka and Others

RESPONDENT

Date of Decision : 25-03-2010

Acts Referred:

Citation : (2010) 03 KAR CK 0181

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

Bench : Single Bench

Advocate : T.P. Rajendra Kumar Sungay, for the Appellant; Jagadeesh Mundaragi, A.G.A. for R1-R4, for the Respondent

Judgement

A.S. Bopanna, J.—Though this petition is listed in "orders" category, considering that the subject matter is covered by the earlier decisions of this Court, the petition is taken up for consideration and disposed of by this order.

2. The facts which are not in dispute are that the petitioner herein being an employee of the fifth respondent had attained the age of superannuation and was relieved from service on 30.8.2008. However, at that stage, the age of retirement was enhanced from 58 years to 60 years. The only question was as to whether the said decision of the Government was to be made applicable to other Institutions which were governed by the State Government. The said position has now been settled by the Hon'ble Division Bench of this Court by its order dated 16.11.2009 passed in Writ. Appeal Nos. 3801-3804/2009 and connected appeals. In that view of the matter, the very same benefit is to be made applicable to the petitioner herein.

3. In the result, this petition is allowed by quashing the impugned order at Annexure-C. Further, direction is issued to the respondents to extend the reinstatement and service benefits to the petitioner until he attains the age of 60 years as done in the cases referred to hereinabove. In all other respects, the decision rendered by the Hon'ble Division Bench and the order made in the

earlier cases would apply to the present facts of the case.

4. In terms of the above, this petition stands disposed of. No order as to costs.