

(2012) 09 KAR CK 0223
In the Karnataka High Court
Case No : Writ Petition 61516 / 2009 (S Res)

Sri. Yogesh

APPELLANT

Vs

State of Karnataka and General Manager Karnataka State
Women Dev. Corporation

RESPONDENT

Date of Decision : 10-09-2012

Acts Referred:

Citation : (2012) 09 KAR CK 0223

Hon'ble Judges : Huluvadi G. Ramesh, J

Bench : Single Bench

Advocate : Jagadish Patil, for the Appellant; Megha C. Kolekar, GP for R1 and Sri. Madanmohan M. Khannur, for R2, for the Respondent

Judgement

Huluvadi G. Ramesh

1. Petitioner has sought for quashing the order at annexure D and to continue his services as a Project Officer of Devadasi Rehabilitation Project,

Haveri. According to the petitioner's counsel, initially for a period of eleven months, petitioner has been appointed to work as Project Officer.

Thereafter, even as per the order at annexure E i.e., term would extend up to completion of the Project. Though petitioner has been appointed on

contract basis, his services has to be extended and be treated as till conclusion of the project. Directing the petitioner to get himself relieved and

hand over charge and relieving the petitioner as at annexure D is erroneous. Accordingly, he has sought for quashing the impugned order.

2. The initial appointment of the petitioner is on 26.9.2007 for a period of eleven months up to 25.8.2008. Once again on 23.07.2008, as per

annexure B, additional charge was given to the petitioner. On 12.11.2008, he has been directed to hand over charge to one BR Madhusudhan.

Though the initial appointment is for a period of eleven months, petitioner has worked for more than one year. Further, on moving this Court, a

direction had been issued by this Court by way of an interim order not to relieve the services of the petitioner, if not already relieved The Division

Bench of this Court in WP 14688/2005 on 10.1.2006 has observed that petitioner therein has no vested right to seek regularization or absorption

of services. However, when the authority concerned has appointed the petitioner for a particular project, till completion of such project, his

services shall not be terminated.

3. In the case on hand, though initially petitioner was appointed for eleven months, it appears the project had been continued, If the petitioner had

not been relieved, he could be continued till the completion of the project. However, it is not made clear except the letter dated 12.11.2008 issued

to the petitioner to get himself relieved and to hand over charge to one BR Madhusudhan. Further, it appears charge has been; taken over by the

said Madhusudhan as per annexure R1. There is a conditional order passed by this Court by way of an interim order to continue the services of the

petitioner, if not already been relieved. The statement of the Government Pleader is, petitioner has already been relieved. Petitioner has worked for

more than one year. Though his case should have been considered for continuation till completion of the project, but since he has already been

relieved and charge is handed over, continuation of his services till the completion of the Project would not arise. Petition is disposed of.