

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30TH DAY OF JUNE 1998

BEFORE

THE HON'BLE MR.JUSTICE H.L.DATTU.

WRIT PETITION NO:26085 to 087/1993

BETWEEN:

- 1) Sudham  
S/o. Dundappa.  
Malage. Age:33 yrs.  
Occ: Daily Wage  
Employee, in the  
office of the  
Assistant Executive  
Engineer, Zilla  
Parishad Engineering  
Division, Hukeri.  
Dist:Belgaum.
- 2) Sidaram.  
S/o. Satyappa. Bhovi.  
Age: 27 years,  
Occ: Daily Wage Employee,  
in the office of the  
Assistant Executive Engineer,  
Zilla Parishad Engineering  
Division, Hukeri.  
Dist: Belgaum.

- 3) Lagamappa.  
S/o. Siddappa Sunagar.  
age: 30 years,  
Occ: Daily Wage Employee,  
in the Office of the  
Assistant Executive Engineer,  
Zilla Parishad Engineering  
Division, Hukeri.  
Dist: Belgaum.

...PETITIONERS.

( Sri R.S.Balikai Adv., )

AND:

- 1) State of Karnataka  
Represented by its Secretary  
to the Rural Development  
and Panchayat Raj  
Department,  
Multistoried Building,  
Bangalore - 560 001.
- 2) The Zilla Parishad,  
Belgaum,  
by its Chief Secretary,  
Belgaum.
- 3) The Executive Engineer,  
Zilla Parishad  
Engineering Division,  
Chikodi,  
Dist: Belgaum.
- 4) The Assistant Executive  
Engineer,

Zilla Parishad  
Engineering  
Sub-Division,  
Hukeri,  
Dist: Belgaum.

...RESPONDENTS.

( Sri S.Udayashankar AGA )

Writ Petitions filed under Articles  
226 and 227 of the Constitution of India  
with an affidavit praying to direct the  
respondents to continue the services of  
the writ petitioners as specified in  
Clause 1(b) of the G.O.Dtd:6.8.90 passed  
in DPAR. 2 SLC. 90 at Annex - C. & etc.,

Writ Petitions ~~are~~ coming on for  
hearing this day the court made the  
following:

O R D E R

Since common questions of facts  
and law are involved in all these petitions  
they are heard and disposed of by this common  
order.

In all these petitions, petitioners are working as Asst. Executive Engineers in the office of 3rd respondent-Executive Engineer, managed and controlled by Zilla Parishad, Chikodi on daily wage basis. They are all before this court for a direction to the respondents to regularise their services in the light of the judgment of ~~the light of the judgment of the~~ Supreme Court reported in AIR 1990 SC 883 (DHARWAD DIST. PWD LITERATE DAILY WAGES EMPLOYEES ASSOCIATION & ORS vs. STATE OF KARNATAKA & ORS).

Petitioners have not produced any material before this court to demonstrate that they had made appropriate representation before the respondent authorities requesting them to regularise their services in the posts held by them. In my view at the first instance, petitioners

should have approached the respondent authorities for the reliefs sought in these writ petitions. If for any reason the quest of the petitioners are not considered by the respondent-authorities within a reasonable time or had been rejected, then only a cause of action would arise for the petitioners to approach this court for a direction.

In that view of the matter, without expressing any opinion on the merits or demerits of the petitioners cases, these writ petitions are disposed off reserving liberty to the petitioners to make appropriate representation before the respondent authorities within two months from today. It is needless to say if and when such representation is filed within the time granted, the respondent authorities would consider the same in accordance with law keeping in view the

observations made by the Hon'ble  
Supreme court and as well as this court in  
more or less similar cases. Till the  
respondents consider and decide the  
representation that may be filed by the  
petitioners within the time granted by  
this court, the interim orders granted  
by this court would enure to the benefit  
of the petitioners.

With these observations and directions,  
writ petitions are disposed off.

Sd/- JUDGE

BKP

c.by 8/10/98  
r.by vbe

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