

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 14TH DAY OF JUNE, 1999

B E F O R E

THE HON'BLE MR JUSTICE R.V .RAVEENDRAN

WRIT PETITION No.19287/1999

BETWEEN :

Laxmikant,
s/o.Vijayakumar,
r/o.Kotnoor (D),
Tq. & Dist.Gulbarga-585 102.

.... PETITIONER

(By Sri.Ravi B.Naik, Advocate)

AND :

1. The Chairman (President)
6th, 7th, 9th Floors of
Karnataka State Pollution
Control Board,
Utility Building, M.G.Road,
Bangalore.
2. Environment Officer,
Karnataka State Pollution
Control Board,
Gulbarga.
3. Divisional Officer,
Pollution Control Board,
Mahatma Basaveshwarnagar,
Gulbarga.
4. District Officer,
Pollution Control Board,
CIB Colony, Shaktinagar,
Plot No.9,
Gulbarga - 585102.
5. Members - Secretary,
6th, 7th 9th Floors,
Utility Building,
M.G.Road,
Bangalore.

.... RESPONDENTS

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This Writ Petition is filed under Articles 226 and 227 of the Constitution of India praying to direct the respondent to regularise the service of the petitioner as he has worked for more than 240 days and beyond 2 years period, etc.,

This Writ Petition coming on for preliminary hearing this day, the Court made the following:-

O R D E R

The petitioner claims that he has been appointed as a Jeep Driver on contract basis for a period of three months commencing from 21-2-1997 and later renewed continuously for period of three months each as per Annexure-B to K and that the last of his contractual appointments expired on 11-6-1999 and has not thereafter been renewed. He also claims that respondent No.2 had already recommended his case to the respondent No.5 for further extension of his contractual employment. No action has been taken in the matter. The petitioner claims that as he has worked continuously for more than 240 days, he should be considered for regularisation. Hence, he has filed this petition seeking a direction to respondents to regularise his service.

RMR

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2. The contractual appointment for a period about two years by itself does not entitle the petitioner to claim regularisation. The principle of Industrial Law that a person who has continuously worked for 240 days cannot be removed without complying with Section 25F has no application, in such a case of contractual employment. If petitioner wants further appointment, it is open to the petitioner to give a representation if he has not already given a representation.

3. No legal right is made out for regularisation.

4. Petition is dismissed reserving liberty to the petitioner to give representation to the concerned authorities.

Sd/-
JUDGE

gng/ujk