

A KARNATAKA STATE GOVERNMENT FIRST GRADE
COLLEGES PART-TIME LECTURERS' ASSOCIATION
(REGD). AND ANR.

v.

STATE OF KARNATAKA

B SEPTEMBER 11, 1995

[K. RAMASWAMY AND B.L. HANSARIA, JJ.]

Service Law :

C *State of Karnataka—Government Colleges—Part-Time Lecturers—
Grievances—Constitution of Sub-Committee for redressal.*

Dismissing the writ petition, this Court

D **HELD : A Sub-committee has been constituted by the State Govern-
ment to consider the grievances of the part-time lecturers. It would be open
to the petitioners to make a representation before the sub-committee along
with all other persons similarly situated. [532-G]**

CIVIL ORIGINAL JURISDICTION : Writ Petition (C) No. 21 of 1994.

E Under Article 32 of the Constitution of India.

D.K. Garg, L.K. Gupta and R.S. Thakkar, for the Petitioners.

M. Veerappa, for the Respondents.

F The following Order of the Court was delivered :

G It is stated in the rejoinder-affidavit that a sub-committee has been
constituted by the State Government to consider the grievances of the
part-time lecturers and the cases of all such persons would be considered
by the sub-committee. The Minister in charge also seems to have made a
statement to that effect on the floor of the House. If that is so, it would be
open to the petitioners to make a representation before the sub-committee
along with all other persons similarly situated.

The writ petition is accordingly dismissed.

T.N.A.

Petition dismissed.

DHAYANAND ETC. ETC.

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v.

UNION OF INDIA AND ORS.

SEPTEMBER 12, 1995

[J.S. VERMA AND K. VENKATASWAMI, JJ.]

B

Service Law :

Punjab Re-Organisation Act, 1966 : Ss.2(g) and 88.

Punjab Government National Emergency (Concession Rules, 1965/Punjab Recruitment of Ex-servicemen Rules, 1982 :

C

Conditions of Service of Union Territory of Chandigarh Employees Rules, 1966 : Rules 2, 3 and 4.

Ex-servicemen—Re-employed in Services of Union Territory of Chandigarh subsequent to 1.11.1966—Claim for benefit of earlier military service regarding seniority, promotion, pension etc. under 1965 Rules—Held, 1965 Rules continued to apply to eligible ex-service Re-employed in Services of Union Territory of Chandigarh after 1.11.1966.

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The appellants and the writ petitioners, who were ex- servicemen and were re-employed in the services of the Union Territory of Chandigarh subsequent to 1.1.1966, claimed benefit of the Punjab government National Emergency (Concession) Rules, 1965 for purposes of increments, seniority promotion, pension etc. Though G.O. No. 1023.11.1(7)-87/5025 dated 19.3.1987 issued by the Union Territory Administration, had provided that the benefit of military service in accordance with the 1965 Rules would be available to ex-servicemen, but subsequently, this view was altered in G.O. No. 27/1/3/92 - 1H(7)/10935 dated 2.6.1992. The Central Administrative Tribunal and the Punjab & Haryana High Court held that the 1965 Rules did not apply to appointees in services of the Union Territory after 1.1.1966. Aggrieved, the employees filed the appeals by special leave and the writ petition.

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It was contended on behalf of the Union Territory that the benefit of the 1965 Rules was available only to the ex-service men employed prior to 1.11.1966, since they were appointed in the State of Punjab and carried

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