

C. A. Shankar Prasad and others

Vs

Karnataka State Adult Education Council and others

Writ Petns. (C) Nos. 1128, 1155 and 1161 of 1991; 77 of 1992 and T.P. Nos. 164-165 of 1992

(Kuldip Singh, P. B. Sawant, N. M. Kasliwal JJ)

22.10.1992

ORDER:—

1. A Central Sector Scheme known as Rural Functional Literacy Programme was operating in the State of Karnataka. The State of Karnataka set up an Adult Education Council for the purposes of running the Central Sector Programme. The petitioners were employed in the four Rural Functional Literacy Project Centres which were running under the control of the Adult Education Council. They were employed on fixed salary as Assistant Project Officers, Supervisors, Office Assistants, Accounts Clerks, Drivers and on other class IV jobs. The petitioners have claimed in this petition that the respondents be directed to absorb them on regular basis and they be treated equally in all respects with other regular employees under the control of the Adult Education Council. Some writ petitions were filed for similar relief in the Karnataka High Court which have been transferred to this Court.

2. During the pendency of these writ petitions the Central Sector Scheme which resulted in the employment of the petitioners has been completely closed. According to Mr. P. Chidambaram, learned senior advocate appearing for the State of Karnataka, the services of the petitioners have been rendered surplus and they are no longer working in the Project Centres. In this view of the matter the writ petitions have become infructuous and no relief can be granted to the petitioners.

3. We are, however, of the view that the petitioners having served the Adult Education Council for over a decade the Council which is still operating must utilise the services of these petitioners if and when some vacancies are made available. We, therefore, direct that all the vacancies after the closure of the Central Sector Scheme which have become available or will arise in future under the control of the Adult Education Council be offered to the petitioners keeping in view their eligibility and experience. We further hope that the State of Karnataka shall keep in view the useful services rendered by the petitioners for more than ten years and will try to absorb the petitioners in vacancies which may arise in the Education Department or any other department of the State Government where the petitioners can be absorbed in accordance with law keeping in view their qualifications and experience. The age bar shall not come in the way of the petitioners for a period of three years from today.

4. With the above observations the writ petitions are dismissed. No costs. Petitions dismissed.

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