

Karnataka Public Service Commission

Vs

P. S. Ramakrishna

Civil Appeal No. 2413 of 1996

(K. Ramaswamy, B.L. Hansaria, S.B. Majmudar JJ)

17.01.1996

ORDER

1. Though the notice was sent to the respondent on 28-9-1993, it came back with an endorsement "Not present. Hence return to sender". It would be obvious that the respondent is avoiding service. Notice must, therefore, be deemed to have been served on the respondent.
2. Leave granted.
3. The controversy raised in this case is covered by the decisions of this Court in Karnataka Public Service Commission v. B. M. Vijaya Shankar [(1992) 2 SCC 206 : 1992 SCC (L&S) 362 : (1992) 20 ATC 215].
4. Following the said decision, the appeal is allowed and the order of the Tribunal is set aside, but without costs.