



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 15TH DAY OF DECEMBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE S G PANDIT

AND

THE HON'BLE MRS JUSTICE GEETHA K.B.

WRIT PETITION NO.101811 OF 2024 (S-KAT)

BETWEEN:

SHRI. RAHUL
S/O LATE SHANKAR NAIK
AGE. 27 YEARS, OCC. NIL,
R/O. MAHANTESH NAGAR, DARGA COLONY,
NEAR DARGA, MAIGUR ROAD, JAMAKHANDI-587301.
TQ. JAMAKHANDI, DIST. BAGALKOTE.

...PETITIONER

(BY SRI. SUHAS K. HOSAMANI, ADVOCATE FOR
SRI. A.S. PATIL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY,
TO THE DEPARTMENT OF
PUBLIC WORKS DEPARTMENT,
M.S. BUILDING, BENGALURU-560001.
2. THE CHIEF ENGINEER,
COMMUNICATION AND BUILDING (NORTH),
SIR. M. VISHWESHWARIAH ROAD,
D.C. COMPOUND, DHARWAD-580001.
3. THE SUPERINTENDENT ENGINEER,
PUBLIC WORKS DEPARTMENT,
BELAGAVI CIRCLE, BELAGAVI-590001.



4. THE EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT,
DIVISION OFFICE,
BAGALKOTE-587103.
TQ/DIST. BAGALKOTE.
5. THE ASSISTANT EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT,
JAMAKHANDI SUB-DIVISION,
JAMAKHANDI-587301,
TQ. JAMAKHANDI,
DIST. BAGALKOTE.

...RESPONDENTS

(BY SRI. G.K. HIREGOUDAR, PRL. GOVT. ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER ORDER OR DIRECTION QUASHING THE IMPUGNED ORDER DATED 11-10-2023 PASSED BY THE HON'BLE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL AT BELAGAVI IN APPLICATION NO.11094/2022 AS PER ANNEXURE-C BY ALLOWING THE APPLICATION FILED IN NO.11094/2022 AND THE PRESENT PETITION AS PRAYED FOR BY THE PETITIONER & ETC.

THIS WRIT PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: THE HON'BLE MR. JUSTICE S G PANDIT
AND
THE HON'BLE MRS JUSTICE GEETHA K.B.



ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE S G PANDIT)

Unsuccessful applicant before the Karnataka State Administrative Tribunal at Belagavi (for short, 'the Tribunal') is before this Court under Article 226 of Constitution of India, questioning the order dated 11.10.2023 in Application No.11094/2022, wherein the petitioner's challenge to endorsement rejecting petitioner's request for compassionate appointment was dismissed.

2. Heard learned counsel Sri.Suhas K. Hosamani for petitioner and learned Principal Government Advocate Sri.G.K.Hiregoudar for respondents. Perused the entire writ petition papers.

3. The petitioner submits that his father was working as Assistant Engineer in the respondent – Public Works Department and he died while in service on 29.04.2021. On his death, the petitioner is said to have submitted application for compassionate appointment in



terms of the Karnataka Civil Services (appointment on Compassionate Grounds) Rules, 1996 (for short, '1996 Rules'). The said application came to be dismissed initially by endorsement dated 12.07.2022 (Annexure-A9). Questioning the said endorsement, the petitioner was before the Tribunal in Application No.11094/2022. The Tribunal, considering the relevant rules and taking note of the fact that the petitioner's mother was working as Government Servant and receiving salary more than that of a First Division Assistant, rejected the petitioner's application. Questioning the said order, petitioner is before this Court.

4. Learned counsel for petitioner Sri.Suhas K. Hosamani would submit that the petitioner and his family is in financial constraints due to illness of mother as well as grandparents. As the petitioner and family, due to the death of the Government Servant are in financial distress, he



would pray for considering the case of the petitioner for providing compassionate appointment to any Group-D post.

5. Learned Principal Government Advocate Sri.G.K.Hiregoudar would submit that in terms of Rule 4(1) of 1996 Rules, the petitioner is not eligible for consideration of his case for compassionate appointment. Further, he submits that, the Tribunal has rightly come to the conclusion that the income of the mother of the petitioner is more than what is prescribed under Rule 4(1) of 1996 Rules and he submits that the Tribunal is right in rejecting the application of the petitioner. Thus, he prays for dismissal of the writ petition.

6. Having heard the learned counsels appearing for the parties and on perusal of the entire writ petition papers, we are not inclined to interfere with the impugned order passed by the Tribunal as well as the endorsement dated 29.04.2021, wherein the petitioner's request for compassionate appointment is rejected.



7. It is not in dispute that the mother of the petitioner is working as Professor in Government Girls Pre-University College, Jamkhandi, which is a Group-A post. Since the mother of the petitioner is working as Government Servant in a Group-A post and receiving more salary than the First Division Assistant, in terms of Rule 4 of 1996 Rules, the petitioner would not qualify for consideration of his case for appointment on compassionate grounds.

8. The Tribunal under impugned order at paragraph (6) has assigned reasons for rejecting the application of the petitioner. The Tribunal has rightly concluded that the petitioner would not be entitled for consideration of his case for compassionate appointment in terms of Sub-Rule (1)(b)(ii) of Rule 4 of 1996 Rules.

9. The contention of petitioner that the family is in financial distress due to medical emergency of mother as



well as grandparents is not a ground to interfere with the order passed by the Tribunal. Rule 4(1) of 1996 Rules is clear with regard to eligibility and income criteria.

10. Thus, we do not find any merit in the writ petition and accordingly writ petition stands ***rejected***.

11. In view of rejection of the writ petition, I.A.No.1/2024 for dispensation of production of translation copies of Annexures would not survive for consideration.

**Sd/-
(S G PANDIT)
JUDGE**

**Sd/-
(GEETHA K.B.)
JUDGE**

NC, CT:VP
LIST NO.: 1 SL NO.: 31