



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 4TH 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.108144 OF 2023 (S-KAT)

BETWEEN:

1. THE KARNATAKA LOKAYUKTA,
M.S. BUILDING,
BENGALURU,
REPRESENTED BY ITS
REGISTRAR LOKAYUKTA.
2. THE ADDITIONAL REGISTRAR,
ENQUIRIES-1,
KARNATAKA LOKAYUKTA,
M.S. BUILDING,
BENGALURU-560001.

CHANDRASHEKAR
LAXMAN
KATTIMANI
Digitally signed by
CHANDRASHEKAR
LAXMAN KATTIMANI
Location: HIGH COURT
OF KARNATAKA
DHARWAD BENCH

...PETITIONERS

(BY SRI. SRINIVAS B. NAIK, ADVOCATE)

AND:

1. SRI. HANMANTHAPPA BADAMI
S/O. MALLAPPA BADAMI
AGE. 56 YEARS,
OCC. ASSISTANT AGRICULTURAL OFFICER,



RAITHASAMPARKA KENDRA (RSK)
AMMINABHAVI,
TALUK AND DISTRICT DHARWAD.
R/AT SWAYAM PRAKASH HOUSE,
NEAR K.V.G. BANK,
GANDINAGAR,
DHARWAD-580004.

2. THE STATE OF KARNATAKA,
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF AGRICULTURE,
VIKAS SOUDHA,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU-560001.
3. THE COMMISSIONER,
DEPARTMENT OF AGRICULTURE,
SHESHADARI ROAD,
BENGALURU-560012.
4. THE JOINT DIRECTOR OF
AGRICULTURE, DHARWAD,
DHARWAD-580074.

...RESPONDENTS

(BY SRI. VIJAYKUMAR, ADVOCATE FOR R1;
SRI. SHARAD V. MAGADUM, AGA FOR R2-R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI AND QUASH THE IMPUGNED ORDER DATED 02/07/2020 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, BELAGAVI IN APPLICATION NO.3515/2017 PRODUCED AS ANNEXURE-A, AND PERMIT THE PETITIONER FOR CONTINUATION OF THE DEPARTMENTAL ENQUIRY AGAINST THE RESPONDENT NO.1 IN THE ENDS OF JUSTICE AND EQUITY & 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)

The petitioners – Officers of the Karnataka Lokayukta are before this Court under Article 226 of the Constitution of India questioning the order dated 02.07.2020 passed in Application No.3515/2017 by the Karnataka State Administrative Tribunal, Belagavi (for short, 'the Tribunal') whereunder the order dated 30.03.2017 (Annexure-A5) entrusting enquiry to Lokayukta, and the Articles of Charge dated 07.06.2017 (Annexure-A6) in respect of respondent No.1/applicant are quashed.

2. Heard Sri. Srinivas B.Naik, learned counsel for the petitioner, Sri. Vijayakumar, learned counsel for respondent No.1 through Video Conference, and Sri. Sharad V.Magadum, learned Additional Government Advocate for respondents No.2 to 4. Perused the entire writ petition papers.

3. Learned counsel, Sri. Srinivas B.Naik would contend that the Tribunal is not justified in quashing the order of



entrustment of enquiry and the charge memo. It is submitted that the Tribunal has come to the conclusion that respondent No.2-government has not applied its mind while passing the order under Rule 14-A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 (for short, 'the 1957 Rules'). It is his submission that, if the Tribunal were to come to the conclusion that there is no application of mind, the Tribunal ought to have remitted the matter back to the State Government for passing a fresh order on the material before it. Learned counsel while submitting that the charge against the respondent No.1 is serious in nature and as respondent No.1 is still in service, prays for remitting the matter to the Government for taking a fresh decision.

4. To the Court query with regard to delay of nearly three years in approaching this Court, learned counsel for the petitioners would submit that the Government failed to challenge the order of the Tribunal; the Lokayukta has come forward to challenge the order passed by the Tribunal setting aside the order of entrustment of enquiry and the charge memo; and it is



in that circumstance, there is delay in approaching this Court. Therefore, learned counsel would pray for allowing the petition.

5. Sri. Vijaykumar, learned counsel for respondent No.1 would submit that the Tribunal passed the impugned order on 02.07.2020, whereas the writ petition is filed on 15.06.2023, and there is a delay of nearly three years in approaching this Court. He would further submit that since the government has not challenged the order of the Tribunal, it is not open for the petitioners-Lokayukta to challenge the order of the Tribunal in the facts and circumstances of the case.

6. Having heard the learned counsel for the parties and on perusal of the entire writ petition papers, the only point that falls for consideration is,

Whether the impugned order passed by the Tribunal requires interference at the hands of this Court?

7. The answer to the above point would be in the 'negative' for the following reasons:

(a) On considering the report of the petitioners submitted under Section 12(3) of the Karnataka Lokayukta Act, 1984,



respondent No.2-State Government, under order dated 30.03.2017, entrusted the enquiry to the petitioners who, in turn, issued Articles of Charge dated 07.06.2017. The Tribunal, on scrutiny of the material before it, was of the opinion that the Government had not applied its mind while passing the order under Rule 14-A of the 1957 Rules. The State Government has chosen not to file writ petition and it has accepted the order passed by the Tribunal. When the Tribunal noted that there was no application of mind by the State Government while entrusting enquiry, it is for the government to establish that it has applied its mind while passing the order under Rule 14-A of the 1957 Rules.

- (b) As stated above, this petition is filed on 15.06.2023 challenging the order of the Tribunal dated 02.07.2020. There is nearly three years delay in approaching this Court by the petitioners-Lokayukta. No explanation is forthcoming in the writ petition with regard to the delay. The petitioners-Lokayukta is a creature of Statute and it ought to be more responsible. As there is an unexplained



delay of more than three years, the writ petition is liable to be dismissed on the said ground.

8. We do not find any merit in the writ petition. Accordingly, the writ petition stands rejected.

Pending interlocutory applications, if any, stand disposed of as not surviving for consideration.

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

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

KMS, CT:VP
LIST NO.: 1 SL NO.: 28