



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 28TH DAY OF NOVEMBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE S G PANDIT

AND

THE HON'BLE MRS JUSTICE GEETHA K.B.

WRIT APPEAL NO.100364 OF 2025 (S-RES)

BETWEEN:

1. THE STATE OF KARNATAKA,
R/BY ITS SECRETARY, TO THE DEPARTMENT OF LAW,
JUSTICE AND HUMAN RIGHTS,
VIKAS SOUDHA, BENAGALURU-560001.
2. THE COMMISSIONER,
DEPARTMENT OF COLLEGIATE EDUCATION,
SHESHADRI ROAD, BENAGALURU-560001.
3. THE ADDITIONAL DIRECTOR,
COLLEGIATE EDUCATION, OFFICE OF COMMISSIONER
OF COLLEGIATE EDUCATION, BENAGALURU-560001.

...APPELLANTS

(BY SRI. SHARAD V. MAGADUM, AGA)

AND:

1. DUNDAPPA S/O VEERUPAXI HANJI
AGE. 41 YEARS, OCC. PEON,
R/O G K LAW COLLEGE, BVB CAMPUS,
HUBBALLI-580031, VIKAS SOUDHA,
BANGALORE-560011.
2. THE CHAIRMAN,
BOARD OF MANAGEMENT,
KARNATAKA LINGAYAT EDUCATION SOCIETY,
BELAGAVI-590001, DIST. BELAGAVI.
3. THE PRINCIPAL,
G K LAW COLLEGE, B V B CAMPUS,
HUBBALLI-580031, DIST. DHARWAD.

...RESPONDENTS

(NOTICE TO R1 TO R3-SERVED)



THIS WRIT APPEAL IS FILED UNDER SEC.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING TO ALLOW THE WRIT APPEAL AND SET ASIDE THE ORDER DATED 10.07.2023 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN WP NOS.103003 OF 2021 (S-RES) & ETC.

THIS WRIT APPEAL COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:
CORAM: THE HON'BLE MR. JUSTICE S G PANDIT
AND
THE HON'BLE MRS JUSTICE GEETHA K.B.

ORAL JUDGMENT

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

The State in Education Department is in appeal under Section 4 of the Karnataka High Court Act, 1961, aggrieved by order of the learned Single Judge dated 10.07.2023 passed in WP No.103003/2021, whereunder, the respondent's writ petition was allowed and following order was passed:

"The writ petition is partly allowed. The impugned endorsement at Annexure - H dated 20.04.2020 issued by the 3rd respondent is quashed and the matter is remitted to the 3rd respondent / competent authority to consider the representation of the petitioner afresh strictly in compliance of the orders passed by this Court in the Division Bench of this Court in W.A. No.100388/2018 and connected writ appeals disposed of on 16.10.2019. The said exercise shall be done by the 3rd respondent/competent authority as expeditiously as possible but not later than a period of six weeks from the date of receipt of certified copy of this order."



2. Heard the learned AGA Sri. Sharad V Magadum for the appellants/State and perused the entire writ appeal papers.

3. Learned AGA would contend that the learned Single Judge after quashing the impugned endorsement dated 20.04.2020 (Annexure-H), directed the authorities to reconsider the representation of the petitioner strictly in compliance of order passed by a co-ordinate Bench of this Court in WA No.100388/2018 and connected writ appeals, disposed of on 16.10.2019. It is the specific contention of the learned AGA that the question of reconsidering the representation of the petitioner would not arise, since the endorsement dated 20.04.2020 itself is a speaking order. Therefore, he submits that the question of reconsidering the issue and to pass a speaking order would not arise.

4. Along with this appeal, IA No.3/2025 is filed under Section 5 of the Limitation Act, 1963, praying to condone the delay of 667 days in filing the appeal.



5. We have gone through the order passed by the learned Single Judge as well as the endorsement dated 20.04.2020 (Annexure-H), which is quashed by the learned Single Judge. The subject matter of the endorsement is with regard to approval of appointment of teaching and non-teaching staff of G.K. Law College, Hubballi, B V Bellad Law College, Belagavi and S V Manvi College, Gadag.

6. A perusal of the endorsement under challenge before the learned Single Judge indicates that while issuing endorsement, this Court's direction in WP No.102682/2016 and connected writ petitions, disposed of on 21.07.2017, are culled out and thereafter, issuing authority, i.e., Additional Director, Collegiate Education has culled out the direction of the government in the 2nd page of the endorsement and intimated the respondent that the government has informed that there is no provision for approval of teaching and non-teaching staff in the above stated colleges. The said endorsement cannot be said to be a speaking order and it would cull out only Court's order



and direction issued by the government. There is no application of mind by the Additional Director, Collegiate Education while issuing the said endorsement.

7. In the above circumstances, the learned Single Judge was justified in quashing the said endorsement and directing the authorities to reconsider the representation of the petitioner afresh strictly in compliance of the order passed by a co-ordinate Bench of this Court in WA No.100388/2018 and connected writ appeals disposed of on 16.10.2019. We do not find any error or illegality in the order passed by the learned Single Judge.

8. Moreover, there is inordinate delay of 667 days in preferring the appeal. No acceptable cause is shown in the application accompanying the affidavit. The cause shown is, usual passing of the file from table to table. Though the government order came to be received on 13.12.2023, but the appeal is filed only on 6.6.2025 before this Court. There is no proper explanation for delay from



December 2023 to June 2025. Thus, even on delay, we do not find any good cause to condone. Accordingly, the writ appeal stands ***rejected***.

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

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

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

JTR
CT:VP
LIST NO.: 1 SL NO.: 28