



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.109212 OF 2025 (S-KAT)

BETWEEN:

SHRI BASALINGAPPA,
S/O TIPPAYYA
AGE. 46 YEARS,
OCC. ACCOUNT SUPERINTENDENT,
RURAL DRINKING WATER AND
SANITARY DEPARTMENT, DHARWAD.
R/O. P.NO.130, 3RD MAIN, 4TH CROSS,
MAHANT NAGAR, NEAR SAI MANDIR,
DHARWAD,
DIST. DHARWAD-580007.

...PETITIONER

(BY SRI. SUNIL S. DESAI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REP. BY ITS PRINCIPAL SECRETARY,
(SERVICES-A) RURAL DEVELOPMENT AND
PANCHAYAT RAJ DEPARTMENT,
M.S. BUILDING, BENGALURU-560001.
2. THE CHIEF ENGINEER,
PANCHAYAT RAJ ENGINEERING



DEPARTMENT,
GRAMINA ABHIVRUDDHI BHAVAN,
ANAND RAO CIRCLE,
BENGALURU-560009.

3. THE EXECUTIVE ENGINEER,
RURAL DRINKING WATER &
SANITARY DIVISION,
DHARWAD-580001.
4. THE PRINCIPAL DIRECTOR,
KARNATAKA STATE AUDIT &
ACCOUNTS DEPARTMENT,
T.T.M.C. BUILDING, 3RD FLOOR,
B.M.T.C. SHANTI NAGAR,
BENGALURU-560027.
5. SMT. SHAILASHREE BASAVARAJ GANIGER
AGE. MAJOR, OCC. F.D.A.,
O/O. RURAL DRINKING WATER &
SANITARY DEPARTMENT
DHARWAD, DIST. DHARWAD-580001.

...RESPONDENTS

(BY SRI. G.K. HIREGOUDAR, PRL. GOVT. ADVOCATE FOR R1-R4
SRI. ARAVIND D. UPADHYE, ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI QUASHING THE IMPUGNED ORDER DATED 14/11/2025 PASSED BY HON'BLE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, BELAGAVI IN APPLICATION NO.10966/2025 VIDE ANNEXURE- C, AND CONSEQUENTLY ALLOW THE APPLICATION, IN THE INTEREST OF JUSTICE AND EQUITY & ETC.

THIS WRIT PETITION COMING ON FOR ORDERS, 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 unsuccessful applicant before the Karnataka State Administrative Tribunal, Belagavi `(for short, `the Tribunal') is before this Court questioning the order dated 14.11.2025 in Application No.10966/2025, whereunder the petitioner's application requesting to quash Annexure-A7, dated 29.08.2025, posting respondent No.5 as Accounts Superintendent, and for a direction to continue him in the present place, has been dismissed.

2. The brief facts of the case are that the petitioner, an Accounts Superintendent, belongs to State Accounts Department, whereas respondent No.5 belongs to Panchayat Raj Engineering Department and was promoted as Accounts Superintendent. On promotion, respondent No.5 was posted in place of the petitioner under Government Notification dated 29.08.2025 (Annexure-A7) and Official Memorandum dated 29.08.2025 (Annexure-R1). The petitioner approached the Tribunal in the above stated application questioning the posting



of respondent No.5 in his place and his repatriation to his parent department on the ground that within two months, the petitioner is disturbed from the present posting at Dharwad, that too, by a person who belongs to Panchayat Raj Engineering Department, when the post is earmarked for Rural Drinking Water and Sanitation Division. The challenge of the petitioner was dismissed under the impugned order on the ground that, when the post is earmarked to Rural Drinking Water and Sanitation Division, an employee of State Accounts Department has no right to occupy the post and has to vacate the post, and further held that posting of respondent No.5 in place of the petitioner is not violative of transfer guidelines dated 12.05.2025. Questioning the said order of the Tribunal, the petitioner is before this Court in this writ petition.

3. Heard Sri. Sunil S.Desai, learned counsel appearing for the petitioner, Sri. G.K.Hiregoudar, learned Principal Government Advocate for respondents No.1 to 4, and Sri. Aravind D.Upadhye, learned counsel for respondent No.5. Perused the entire writ petition papers as well as the statement of objections filed by the respondents-State today before the Court.



4. Learned counsel Sri. Sunil S.Desai would submit that the petitioner belongs to State Accounts Department and it is submitted that in the Rural Development and Panchayat Raj Department, Rural Drinking Water and Sanitation Division, and Panchayat Raj Engineering Department, the posts of Accounts Superintendent are allotted to each department in terms of the Government Order dated 05.11.2024 (Annexure-R3). Learned counsel would further submit that the post of Accounts Superintendent at Rural Drinking Water and Sanitation Division, Dharwad, is earmarked for persons belonging to Rural Drinking Water and Sanitation Department against which the petitioner was posted in terms of O.M. dated 06.06.2025 (Annexure-A2) issued by the State Government. Learned counsel would submit that respondent No.5, who belongs to Panchayat Raj Engineering Department, and who has no claim over the post of Accounts Superintendent at Rural Drinking Water and Sanitation Division, Dharwad, has been posted on promotion.

5. Learned counsel Sri. Sunil S.Desai would submit that, earlier, the petitioner was given posting as Accounts Superintendent to the office of the Executive Engineer, Rural Drinking Water and Sanitation Division, Raichur, against a vacant



post earmarked for State Accounts Department. It is stated that one Sri. Basawaraj, Accounts Superintendent, was working at Raichur Division and he approached the Tribunal in Application No.21601/2024, and the Tribunal by order dated 20.01.2025 directed the respondents to consider the request made by the applicant in his representation dated 08.11.2024 and take a decision in the matter to continue him till completion of his tenure in accordance with law. It is submitted that in pursuance to the said order, on considering the representation of the said Basawaraj, he was continued at Raichur Division and the petitioner was given posting at Dharwad where he reported to duty on 20.06.2025. It is submitted that within two months, respondent No.5 was posted to his place. Learned Counsel would contend that respondent No.5 has no right to claim the post of Accounts Superintendent at Rural Drinking Water and Sanitation Division, Dharwad, since the post is earmarked for persons belonging to Rural Drinking Water and Sanitation Department. He further submits that the petitioner was given posting to Raichur, where the post was earmarked for persons from State Accounts Department, and as the person who was working in Raichur Division was continued there, he was given posting at Dharwad. It is his submission that if the person belonging to



Rural Drinking Water and Sanitation Department was to be posted to Dharwad Division, respondent No.5 had no right to continue in the said post. Since respondent No.5 does not belong to Rural Drinking Water and Sanitation Department, he prays for continuing the petitioner as Accounts Superintendent at Rural Drinking Water and Sanitation Division at Dharwad.

6. *Per contra*, learned Principal Government Advocate, on the other hand, would submit that the petitioner had no right to the post of Accounts Superintendent at Rural Drinking Water and Sanitation Department, Dharwad since the said post is not earmarked to persons of State Accounts Department. Learned Principal Government Advocate invites attention of this Court to Annexure-II to Government Order dated 05.11.2022 and submits that it is open for the government to post Accounts Superintendent either belonging to Panchayat Raj Engineering Department or Rural Drinking Water and Sanitation Department since both come under Rural Development and Panchayat Raj Department.

7. Sri. Aravind D.Upadhye, learned counsel for respondent No.5 would adopt the submission of the learned Principal Government Advocate, and further submits that, in



pursuance of the promotion and posting of respondent No.5, she has reported to duty and has assumed charge of the post of Accounts Superintendent at Rural Drinking Water and Sanitation Division, Dharwad, on 06.09.2025. Thus, he prayed for dismissal of the writ petition.

8. Having heard the learned counsel for the parties and on perusal of the entire writ petition papers, the following point would arise for consideration:

Whether the impugned order passed by the Tribunal and impugned order of posting respondent No.5 requires interference at the hands of this Court?

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

(a) The petitioner is working as Accounts Superintendent and belongs to State Accounts Department, whereas respondent No.5, who belongs to Panchayat Raj Engineering Department, was promoted as Accounts Superintendent under communication dated 29.08.2025 by the State Government, and under Official Memorandum dated 29.08.2025 (Annexure-R1), respondent No.5 is posted in



place of the petitioner and petitioner's services are repatriated to his parent department i.e., State Accounts Department.

(b) The Government Order dated 05.11.2024 identifies the post of Accounts Superintendent, First Division Accounts Assistant and Second Division Accounts Assistant for three departments viz., Panchayat Raj Engineering, Rural Drinking Water and Sanitation Department, and Karnataka Rural Road Development Organisation. Annexure-II appended to the said Government Order identifies the post of Accounts Superintendent at Rural Drinking Water and Sanitation Division, Dharwad, to Panchayat Raj Engineering Department/Rural Drinking Water and Sanitation Department. The relevant portion of Annexure-II to the Government Order, dated 05.11.2024, is extracted below

ಕ್ರ. ಸಂ.	ಕಚೇರಿ ಹೆಸರು	ಪದನಾಮ	ಮಂಜೂರಾದ ಹುದ್ದೆಗಳ ಸಂಖ್ಯೆ	ಕಛೇರಿವಾರು ಗುರುತಿಸಿರುವ ಹುದ್ದೆಗಳ ಸಂಖ್ಯೆ	
				ಪಂ.ರಾ.ಇಂ. ಇಲಾಖೆ / ಗ್ರಾ.ಕು. ನೀ. & ನೈ.ಇಲಾಖೆ	ರಾಜ್ಯ ಲೆಕ್ಕ ಪತ್ರ ಇಲಾಖೆ
1	2	3	4	5	6
23.	ಗ್ರಾ.ಕು.ನೀ.&ನೈ. ವಿಭಾಗ, ಧಾರವಾಡ	ಲೆಕ್ಕಾಧೀಕ್ಷಕರು	01	01	-
		ಪ್ರ.ದ.ಲೆ.ಸ	01	-	01
		ದ್ವಿ.ದ.ಲೆ.ಸ	02	01	01



- (c) The above Government Order earmarks the post of Accounts Superintendent at Rural Drinking Water and Sanitation Division, Dharwad to Panchayat Raj Engineering Department/Rural Drinking Water and Sanitation Department. As the post is earmarked for Panchayat Raj Engineering Department/Rural Drinking Water and Sanitation Department, the petitioner would not get the right to continue at Rural Drinking Water and Sanitation Division Dharwad. The State Government has rightly posted respondent No.5, who belongs to Panchayat Raj Engineering Department. The petitioner, who is on deputation, is repatriated to his parent department viz., State Accounts Department. It is for the petitioner to approach the State Accounts Department and to seek posting.
- (d) The Tribunal has rightly concluded that, as per the Government order dated 05.11.2024, the post of Accounts Superintendent in Rural Drinking Water and Sanitation Division, Dharwad is earmarked to Panchayat Raj Engineering Department/Rural Drinking Water and Sanitation Department.



10. Thus, we do not find any merit in the writ petition and accordingly, the writ petition stands disposed of. However, it is open for the petitioner to seek appropriate posting from his parent department i.e., State Accounts Department.

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.: 11