



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF MARCH, 2025

PRESENT

THE HON'BLE MR JUSTICE KRISHNA S DIXIT

AND

THE HON'BLE MR JUSTICE RAMACHANDRA D. HUDDAR

WRIT PETITION NO. 7477 OF 2024 (S-KSAT)

C/W

WRIT PETITION NO. 15461 OF 2024 (S-KSAT)

IN WP No. 7477/2024:

BETWEEN:

SMT. ASHALATHA,
AGED ABOUT 49 YEARS,
D/O LATE SRI. SANJEEVE GOWDA,
CURRENTLY WORKING AS
ASSISTANT EXECUTIVE ENGINEER,
RESIDENT OF ANUSH NILAYA, 1ST FLOOR,
DOOR NO.400, 2ND MAIN, 2ND CROSS,
HAMAVATHI NAGAR, HASSAN-573 202.
WORKING AS ASSISTANT ENGINEER,
RURAL DRINKING WATER AND SANITATION DIVISION,
PRESENTLY ON DEPUTATION TO
KARNATAKA INDUSTRIAL AREA DEVELOPMENT BOARD.

...PETITIONER

(BY SRI. V LAKSHMINARAYANA., SENIOR COUNSEL A/W
SRI. VIKRAM BALAJI.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF RURAL DEVELOPMENT & PANCHAYAT
RAJ,
M.S.BUILDING, BENGALURU-560 001.

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signed by
CHETAN B C
Location:
HIGH COURT
OF
KARNATAKA



2. THE COMMISSIONER,
RURAL DRINKING WATER & SANITATION DEPARTMENT,
KHB BUILDING, K.G.ROAD,
BENGALURU-560 009.
3. THE CHIEF ENGINEER
PANCHAYAT RAJ ENGINEERING DEPARTMENT,
KHB BUILDING, K.G.ROAD,
BENGALURU-560 009.
4. SMT. NAVYASHREE N.R. W/O SRI. SHAMBUGOWDA S,
AGED ABOUT 35 YEARS,
CURRENTLY WORKING AS
ASSISTANT EXECUTIVE ENGINEER,
R/OF CHANDAGOLU VILLAGE & POST,
BASARALU HOBLI, MANDYA.
5. SRI. HARIPRASAD M S/O SRI. MUNIRAJULU,
AGED ABOUT 40 YEARS,
CURRENTLY WORKING AS
ASSISTANT EXECUTIVE ENGINEER,
R/O NO.447-C, 17TH G MAIN, 6TH BLOCK,
KORAMANGALA, BENGALURU-560 095.

...RESPONDENTS

(BY SRI.VIKAS ROJIPURA.,AGA FOR R1 TO R3;
SRI.VIJAY BAJENTRI., ADVOCATE FOR R4 & R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR RECORDS IN A.No-1396 AND 1397/2023 (ANNEXURE-A) AND II) ISSUE A WRIT OF CERTIORARI AND CONSEQUENTLY SET ASIDE THE ORDER DATED 08.02.2024 PASSED BY THE KSAT AT BENGALURU IN A.No-1396 AND 1397/2023 (ANNEXURE-A) AND DISMISS THE APPLICATIONS FILED BY THE RESPONDENT No-4 AND 5.

IN WP NO. 15461/2024:

BETWEEN:

SMT. ASHALATHA. B. S.
ABOUT 49 YEARS,
D/O LATE SRI SANJEEVE GOWDA,



NC: 2025:KHC:11282-DB
WP No. 7477 of 2024
C/W WP No. 15461 of 2024

CURRENTLY WORKING AS
ASSISTANT EXECUTIVE ENGINEER,
RESIDENT OF ANUSHA NILAYA, 1ST FLOOR,
DOOR NO.400, 2ND MAIN, 2ND CROSS,
HEMAVATHI NAGAR, HASSAN-573 202.

...PETITIONER

(BY SRI. V LAKSHMINARAYANA., SENIOR COUNSEL A/W
SRI. VIKRAM BALAJI .,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
DEPARTMENT OF RURAL DEVELOPMENT
& PANCHAYAT RAJ,
REPRESENTED BY ITS PRINCIPAL SECRETARY
TO GOVERNMENT,
KARNATAKA GOVT. SECRETARIAT,
3RD FLOOR, MS BUILDING, BENGALURU-560 001.
2. THE COMMISSIONER
RURAL DRINKING WATER & SANITATION DEPARTMENT
KHB BUILDING, K.G. ROAD, BENGALURU-560 009.
3. THE CHIEF ENGINEER
PANCHAYATI RAJ ENGINEERING DEPARTMENT,
KHB BUILDING, K G ROAD, BENGALURU-560 009.

...RESPONDENTS

(BY SRI.VIKAS ROJIPURA.,AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO
ISSUE A WRIT IN THE NATURE OF CERTIORARI OR ANY
OTHER APPROPRIATE WRIT QUASHING THE ORDER DATED
29.05.2024 (ANNEXURE-A) PASSED BY THE HON'BLE
TRIBUNAL IN O.A No-1840/2024 AND ACCORDINGLY
ALLOW THE APPLICATION AS PRAYED FOR AND ETC.,

THESE PETITIONS COMING ON FOR FURTHER HEARING,
THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE KRISHNA S DIXIT
AND
HON'BLE MR JUSTICE RAMACHANDRA D. HUDDAR



ORAL ORDER

(PER: HON'BLE MR JUSTICE KRISHNA S DIXIT)

Petitioner is grieving before Writ Court against the State Administrative Tribunal's order dated 8.2.2024, whereby the private respondents' Application Nos.1396 & 1397/2023 having been allowed, it has quashed the Government Order dated 27.9.2022 coupled with a direction as under:

"3.The fourth respondent shall be entitled to date of eligibility in the first respondent department only from the date of her joining the first respondent department on the basis of the OM dated 10-03-2021 as at Annexure A12 and thus the date of eligibility of the fourth respondent in the first respondent department cannot be earlier than 10-03-2021 under any circumstances.

4. The applicants are entitled to costs of Rs.10000/- (Rupees Ten Thousand only) each from the first respondent institution which shall be payable to them within one month from the date of this order."

2. Learned Senior Advocate Sri.V.Lakshminarayana appearing for the petitioner having argued the matter for some time, has filed a Memo dated 18.03.2025 agreeing that his client shall be placed at the rock bottom of



Seniority List in the cadre of Assistant Engineers of the Department and that *per se* should not deny to his client, whatever she is legally entitled to. The said Memo reads as under:

"The Petitioner in the above case agrees, that the Petitioner name may be placed at the bottom of the seniority list of Assistant Engineers in the new department and her earlier permanent services has to be reckoned for the purpose of further promotions in accordance with law.

It is submitted that cadre strength of Executive Engineer is 33 and 31 persons have been already promoted and for the remaining posts the Petitioner name may be considered and her case may be considered for the purpose of further promotion to the post of Executive Engineer.

The government by an order dated 03.01.2024 promoted the Petitioner to the post of Assistant Executive Engineer with effect from 17.06.2021. Copy of the government order is placed on record for kind perusal of the Hon'ble court. Hence, the petitioner submits that the above submission may kindly be taken on record and the direction may be issued to the government to take further steps to consider the case of the Petitioner for further promotion so far as her eligibility in accordance with law to meet the ends of justice."

3. Learned AGA appearing for the official respondents and learned counsel appearing for the private respondents



herein who happen to be the applicants before the Tribunal, do not join issue so far as placement of petitioner at the rock bottom of Seniority List in the cadre of Assistant Engineers in the department. However they take objection to the content and effect of unnumbered paragraphs 2 & 3 in the subject Memo. However, we need not examine this part of petitioner's claim in the Memo inasmuch as call has to be taken by the official respondents in their wisdom and within the framework of law, of course within an outer limit of six weeks.

With the above observations, these petitions are disposed off, costs having been made easy, costs having been made easy.

Sd/-
(KRISHNA S DIXIT)
JUDGE

Sd/-
(RAMACHANDRA D. HUDDAR)
JUDGE

CBC
List No.: 1 Sl No.: 25