



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH 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. 23499 OF 2023 (S-KSAT)

BETWEEN:

KARNATAKA LOKAYUKTA
MS BUILDING,
DR B.R. AMBEDKAR ROAD
BANGALORE - 560 001
REPRESENTED BY ITS REGISTRAR.

...PETITIONER

(BY SRI. JOSEPH ANTHONY, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP BY ITS PRINCIPAL SECRETARY TO GOVERNMENT
FOREST, ECOLOGY AND ENVIRONMENTAL DEPARTMENT
M.S.BUILDING, B.R. AMBEDKAR VEEDHI,
BENGALURU - 560001.
2. SRI KRISHNA ANNAIAH GOWDA
S/O AYYANNA GOWDA
AGED 42 YEARS
RANGE FOREST OFFICER
NAGARA RANGE, SAGAR DIVISION
SHIMOGA DISTRICT
R/O FOREST OFFICERS QUARTER
SAGAR TALUK, SHIMOGA DISTRICT
3. PRINCIPAL CHIEF CONSERVATOR OF FOREST
ARANYA BHAVANA, 18TH CROSS, MALLESHWARAM,
BANGALORE - 560043

...RESPONDENTS

(BY SRI. VIKAS ROJIPURA, AGA FOR R1 & R3;
SRI. SATISH K., ADV. FOR SRI. PREM KUMAR P., ADV.
FOR C/R2)



THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI, OR ANY OTHER WRIT, ORDER, OR DIRECTION IN THE NATURE OF A WRIT THEREBY QUASHING THE IMPUGNED ORDER DATED DECEMBER 07, 2020 PASSED BY THE HONBLE KSAT IN APPLICATION No. 941/2017 (ANNEXURE-A).

THIS PETITION, COMING ON FOR ORDERS, 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)

Karnataka Lokayuktha is knocking at the doors of writ Court for assailing the State Administrative Tribunal's order dated 07.12.2020, whereby private respondent's Application No.941/2017 having been favoured, he has been relieved of the disciplinary proceedings. The operative portion of the order reads as under:

"The application is allowed and the impugned order bearing No. Complaint / Upalok / BD / 3010 / 2013 / SaNiKaSa-1 dated 10.08.216 as per (Annexure-A17) passed by the 3rd respondent and the impugned order bearing No.AaPaJi 137 AaEiVi 2016 dated 05.11.2016 (Annexure-A18) passed by the 1st respondent, are hereby set-aside."



2. Learned panel counsel appearing for the petitioner submits that the KSAT grossly erred in accepting the letter of the Principal Chief Conservator of Forest ('PCCF' for brevity), Government of Karnataka, without ascertaining its authenticity and therefore there is error apparent on the face of the record warranting indulgence of this Court.

3. Learned counsel appearing for the private respondent opposes the petitioner submitting that the PCCF, being the Chief Executive of the Department of Forest, himself having vouched the work of his subordinate official as being not vulnerable for any enquiry, his version cannot be doubted. We agree with this. It is not the case of Lokayuktha that, what the PCCF has said in the letter in question, is not correct. The Tribunal having acted upon the said letter, has granted relief to the Civil Servant and that accords with reason & justice.

4. Learned counsel appearing for the Civil Servant would submit that Lokayuktha has brooked enormous



delay in laying a challenge to the order of the Tribunal and that the explanation offered for that is not plausible. This aspect need not be gone into, since we are deciding the matter on merits itself.

In the above circumstances, petition being unworthy of merits, is liable to be dismissed and accordingly it is.

Costs made easy.

**Sd/-
(KRISHNA S DIXIT)
JUDGE**

**Sd/-
(RAMACHANDRA D. HUDDAR)
JUDGE**

RD