



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF DECEMBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

AND

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

WRIT PETITION NO. 39469 OF 2025 (S-KSAT)

BETWEEN:

1. SRI. TEJASWI .C
S/O. CHIKKANNA B.S.
AGED ABOUT 43 YEARS
WORKING AS ASSISTANT DRUGS CONTROLLER
NOW WAITING FOR POSTING AT
OFFICE OF COMMISSIONER
FOOD SAFETY AND DRUG ADMINISTRATION
PALACE ROAD, BENGALURU - 560 001.

RESIDING AT NO. 43
2ND FLOOR, FLAT NO. 21
SRINIVASA APARTMENTS, 6TH CROSS
MALLESHWARAM, BENGALURU-560 003.

...PETITIONER

(BY SRI. PRITHVEESH .M.K, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF HEALTH AND
FAMILY WELFARE SERVICES
REPRESENTED BY ITS PRINCIPAL SECRETARY
VIKASA SOUDHA, BENGALURU - 560 001.
2. THE COMMISSIONER
DEPARTMENT OF FOOD SAFETY AND



DRUG ADMINISTRATION, PALACE ROAD
BENGALURU - 560 001.

...RESPONDENTS

(BY SMT. NAMITHA MAHESH, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR RECORDS FROM THE RESPONDENTS, ISSUE A WRIT OR ORDER SETTING ASIDE THE IMPUGNED ORDER DATED 26.12.2025 PASSED BY THE HONBLE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, BENGALURU BENCH IN APPLICATION No. 5162/2025 (ANNEXURE-A) IN SO FAR AS NON-GRANT OF INTERIM ORDER OF STAY IS CONCERNED AND CONSEQUENTLY GRANT THE INTERIM ORDER OF STAY AS PRAYED FOR BY THE PETITIONER BEFORE THE HONBLE TRIBUNAL IN APPLICATION No. 5162/2025 (ANNEXURE-B), IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM
and
HON'BLE DR. JUSTICE K.MANMADHA RAO



ORAL ORDER

(PER: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM)

The petitioner, who was promoted to the cadre of Assistant Drugs Controller in the month of May, 2016, is aggrieved by the inaction on the part of the Tribunal in not considering the interim prayer sought for in Application No.5162/2025.

2. Learned counsel appearing for the petitioner submits that aggrieved by the transfer order, the petitioner has availed the statutory remedy by preferring an appeal under Rule 18 of the Karnataka State Civil Services (Regulation of Transfer of Medical Officers and Other Staff) Rules, 2025, challenging the legality and propriety of the said transfer.

3. Having carefully perused the records, though this Court was initially not inclined to grant any indulgence, learned counsel for the petitioner, at this juncture, has been able to demonstrate that despite the



petitioner having promptly availed the statutory appellate remedy by assailing the transfer order, the appellate authority has not yet taken a decision on the appeal. It is submitted that the continued inaction on the part of the appellate authority constrained the petitioner to simultaneously approach the Tribunal by filing an application under Section 19 of the Administrative Tribunals Act, 1985. Learned counsel, on instructions, now submits that the petitioner is willing to withdraw Application No.5162/2025 pending before the Tribunal. In such circumstances, this Court is of the considered view that the petitioner deserves limited protection till the appeal is adjudicated on merits by the appellate authority.

4. This Court also finds substance in the submission made by the learned counsel for the petitioner that, in the event the petitioner is compelled to comply with the movement order dated 20.12.2025 and report for duty at Kalaburagi in terms of the impugned transfer order, the statutory appeal pending before the appellate



authority would be rendered virtually infructuous, thereby defeating the very purpose of availing the appellate remedy.

5. Learned Additional Government Advocate, in view of the statement made by the learned counsel for the petitioner that the application before the Tribunal would be withdrawn, submits that the respondents would not precipitate the implementation of the movement order, provided reasonable time is granted to the appellate authority to decide the appeal.

6. Recording the submission made by the learned Additional Government Advocate, the impugned transfer order dated 20.12.2025 passed by respondent No.2 is stayed for a period of three weeks from today.

7. In the light of the above, the petition stands disposed of. The appellate authority is directed to consider and decide the appeal preferred by the petitioner strictly in accordance with law and on its own merits, within a period



of two weeks from the date of receipt of a certified copy of this order.

8. It is made clear that in the event the petitioner is aggrieved by the order that may be passed by the appellate authority, liberty is reserved to the petitioner to challenge the transfer order, in accordance with law.

**SD/-
(SACHIN SHANKAR MAGADUM)
JUDGE**

**SD/-
(DR.K.MANMADHA RAO)
JUDGE**

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