



**IN THE HIGH COURT OF KARNATAKA, AT DHARWAD**  
**DATED THIS THE 16<sup>TH</sup> DAY OF FEBRUARY, 2026**  
**PRESENT**  
**THE HON'BLE MR. JUSTICE M.I.ARUN**  
**AND**  
**THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI**  
**WRIT PETITION NO. 100153 OF 2026 (S-KAT)**

**BETWEEN:**

SRI VIVEK THIMMAPPA KAVARI,  
AGED ABOUT 54 YEARS,  
DEPUTY CONSERVATOR OF FOREST (TERRITORIAL),  
DHARWAD, R/O. "GANGANIVAS", KALAGERI ROAD,  
SANMATHI NAGAR, DHARWAD-580 008.

... PETITIONER

(BY SRI DESAI SUNIL SHANTAPPA, ADVOCATE)

**AND:**

1. STATE OF KARNATAKA,  
R/BY ITS PRINCIPAL SECRETARY,  
DEPARTMENT OF PERSONNEL AND  
ADMINISTRATIVE REFORMS,  
VIDHAN SOUDHA, BENGALURU-560 001.
2. STATE OF KARNATAKA,  
R/BY ITS PRINCIPAL SECRETARY,  
FOREST, ENVIRONMENT  
AND ECOLOGY DEPARTMENT,  
MULTI STORIED BUILDING,  
BENGALURU-560 001.
3. THE PRINCIPAL CHIEF CONSERVATOR  
OF FOREST (HOFF), ARANYA BHAVAN,  
18<sup>TH</sup> CROSS, MALLESHWARAM,  
BENGALURU-560 001.



4. SHRI SHEK ABDUL ALIM SIDDIKHI,  
AGE. MAJOR, DEPUTY CONSERVATOR OF FORESTS,  
FOREST MOBILE SQUAD, SHIVAMOGGA,  
DIST. SHIVAMOGGA-577 201.

... RESPONDENTS

(BY SRI SHARAD V. MAGADUM, AGA FOR R1 TO R3;  
SRI VIJAYAKUMAR, ADVOCATE FOR  
SRI OMKAR L. DESAI, ADVOCATE FOR R4 IS APPEARED  
THROUGH VC)

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 08-01-2026 PASSED BY ADMINISTRATIVE TRIBUNAL, BELAGAVI IN APPLICATION NO.10040/2026 VIDE ANNEXURE-B, AS ARBITRARY AND ILLEGAL AND CONSEQUENTLY ALLOW THE APPLICATION FILED BY THE PETITIONER, IN THE INTEREST OF JUSTICE AND EQUITY; ISSUE A WRIT OF CERTIORARI QUASHING THE IMPUGNED NOTIFICATION BEARING NO.BB/DB/13/2001 DATED 12-09-2019 ISSUED BY THE REGISTRAR OF KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, BENGALURU VIDE ANNEXURE-C IN SO FAR AS IT RELATES TO PORTION OF CLAUSE (2) FILING OF APPLICATION BEFORE THE PRINCIPLE BENCH IF PRIVATE RESPONDENT IS RESIDING WITHIN THE JURISDICTION OF SOME OTHER BENCH AS UNREASONABLE AND AGAINST THE PRINCIPLE OF ACCESSES TO JUSTICE, IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.

THIS WRIT PETITION IS COMING ON PRONOUNCEMENT AND THE SAME HAVING BEEN HEARD AND RESERVED FOR ORDER ON 03.02.2026, THIS DAY, **B. MURALIDHARA PAI J.**, MADE THE FOLLOWING:



CORAM: THE HON'BLE MR. JUSTICE M.I.ARUN  
AND  
THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI

**CAV ORDER**

(PER: THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI)

1. The applicant in Application No.10040/2026 before the Karnataka State Administrative Tribunal, Belagavi (for short the 'the KSAT') has maintained this writ petition for the following reliefs:

*"1. Issue a Writ of Certiorari quashing the impugned order dated 08-01-2026 passed by Hon'ble Administrative Tribunal, Belagavi in Application No.10040/2026 vide ANNEXURE-B, as arbitrary and illegal and consequently allow the application filed by the petitioner, in the interest of justice and equity.*

*2. Issue a Writ of Certiorari quashing the impugned notification bearing No.BB/DB/13/2001 dated 12-09-2019 issued by the Registrar of Karnataka State Administrative Tribunal, Bengaluru vide ANNEXURE-C in so far as it relates to portion of Clause (2) filing of application before the Principle Bench if private respondent is residing within the jurisdiction of some other bench as unreasonable and against the principle of accesses to justice, in the interest of justice and equity.*



3. *Pass any other Order as this Hon'ble Court deems fit, in the facts and circumstances of the case in the interest of justice and equity."*

2. The applicant joined Respondent No. 2 - the department on 05.04.1999 as Range Forest Officer. Having received regular promotions, he is presently in the cadre of Deputy Conservator of Forests. It is the applicant's case that a Departmental Promotional Committee meeting was held in October 2025, wherein his name was considered for promotion to the Indian Forest Service (IFS); however, the decision thereon is not yet known to him. By notification dated 05.01.2024, the applicant was transferred as Deputy Conservator of Forest (Territorial), Dharwad, and he took charge of the said post on 06.01.2024. It is further stated that Respondent No. 4 managed to secure a transfer to the applicant's post, though he was not eligible to hold such a cadre post. Consequently, the applicant has been posted to the office of Deputy Conservator of Forests, Karnataka State Forest Academy, Gungargatti, Dharwad, vide notification dated 07.01.2026.



3. Being aggrieved by the said transfer order passed by Respondent No.1, the applicant filed Application No. 10040/2026 before the KSAT for the following reliefs:

*"1. Issue a Writ of Certiorari quashing the impugned Order bearing No.e-DPAR 08 SEP 2026, Bengaluru dated 07.01.2026 (Annexure-A5) issued by the 1<sup>st</sup> respondent, as arbitrary and illegal, in the interest of justice and equity.*

*2. Pass any other Order as this Hon'ble Tribunal deems fit, in the facts and circumstances of the case, including the cost of this application, in the interest of justice and equity."*

4. The KSAT disposed of Application No.10040/2026 vide its Order dated 08.01.2026 with following observations:

*"3. In view of the objection raised by the Office that the Applicant is residing at Dharwad and the 4th Respondent is residing at Shivamogga and as per Clause (2) of the KSAT Notification dated 12.09.2019, the present application does not fall within the jurisdiction of the KSAT, Belagavi Bench, Belagavi.*

*4. We have perused the Memorandum of Application along with the annexures thereto and have also considered the oral submissions made by the learned Counsel for the Applicant. We find that, in terms of Clause (2) of the KSAT Notification dated 12.09.2019, the present application does not fall within the jurisdiction of the KSAT, Belagavi Bench,*



*Belagavi, as the Applicant is residing at Dharwad and the 4th Respondent is residing in Shivamogga District. Therefore, the Applicant is directed to file a fresh application before the KSAT, Principal Bench, Bengaluru.*

5. *Accordingly, the application disposed of."*

5. The main grievance of the applicant is that Section 19 of the Administrative Tribunals Act, 1985 permits a person aggrieved by any order pertaining to a matter within the Tribunal's jurisdiction to file an application before the Tribunal for redressal of his grievance. However, Clause (2) of the impugned notification takes away such a right by mandating that the application be filed only before the Principal Bench if the private respondent(s) reside(s) within the jurisdiction of some other bench/benches of the KSAT.

6. Sri Desai Sunil Shantappa, learned Counsel for the Applicant, vehemently submitted that the notification dated 12.09.2019, which restricts the jurisdiction of benches in respect of transfer matters, particularly where the contesting respondent is from another bench's jurisdiction, violates the principle of access to justice, recognized as a fundamental right. He submitted that the KSAT, having allotted transfer cases falling within the



jurisdiction of its benches, ought not to impose a condition requiring cases to be filed only before the Principal Bench when the private party resides under another bench's jurisdiction; this is not a reasonable restriction. He further submitted that when a person within the Tribunal's jurisdiction is affected, he cannot be directed to approach the Principal Bench solely on the ground that the disturbing party falls within another bench jurisdiction. As such, he contended that the impugned notification is arbitrary, issued without application of mind, contrary to the provisions of law, and liable to be set aside.

7. Per contra, Sri Sharad V. Mugadum, learned Additional Government Advocate for Respondent Nos. 1 to 3, and Sri Vijayakumar, learned Counsel appearing for Sri Omkar L. Desai, Counsel for Respondent No.4, justified the impugned notification on the ground that it was issued pursuant to the Chairman's order, in exercise of powers conferred by the Administrative Tribunals Act, 1985 (in short, "the Act"), in the best interests of litigants and to avoid divergent or conflicting orders by different benches. Relying on the decision of the Hon'ble Apex Court in Union of India Vs Alapan Bandyopadhyay [(2022) 3 SCC 133],



they submitted that if any question arises as to whether a matter falls within the purview of the business allocated to a bench of the Tribunal, the Chairman's decision thereon shall be final and not open to challenge.

8. The prayer in this writ petition makes it clear that the applicant seeks a writ of certiorari quashing the impugned notification insofar as it relates to the portion of Clause (2) which reads as under:

**"NOTIFICATION**

*Sub: Filing of certain type of cases before Kalaburagi Bench and Belagavi Bench of KSAT - Reg.*

\* \* \*

*In view of commencement of KSAT Bench at Kalaburagi (cases arising From the Districts of Bidar, Bijapur, Kalaburagi, Raichur and Yadgir) w.e.f. 17.09.2019 and in exercise of the powers conferred under Sections 18 and 5 read with Section 22 of the Administrative Tribunals Act, 1985 and all other powers enabling thereunto and in supersession of earlier Notifications, allocation of cases is made as ordered by the Hon'ble Chairman, with immediate effect and until further orders, is as follows:*

(1) xxx                      xxx                      xxxx

(2) *In the case of Application/s filed challenging Transfer Notification/Order, normally the Bench within whose*



*jurisdiction, the Applicant is working will have jurisdiction to receive Application/s, but if the private Respondent/s is/are residing within the jurisdiction of some other Bench/Benches of KSAT, such Application/s shall be filed before the Principal Bench at Bengaluru.*

|         |     |      |
|---------|-----|------|
| (3) xxx | xxx | xxxx |
| (4) xxx | xxx | xxxx |

*By Order of Hon'ble the Chairman*

*Sd/-  
Registrar "*

9. Section 18 of the Act reads as under:

**"18. Distribution of business amongst the Benches.**—(1) *Where [any Benches of a Tribunal are constituted], the appropriate Government may, from time to time, by notification, make provisions as to the distribution of the business of the Tribunal amongst the 2[x x x] Benches and specify the matters which may be dealt with by each Bench.*

*(2) If any question arises as to whether any matter falls within the purview of the business allocated to a Bench of a Tribunal, the decision of the Chairman thereon shall be final.*

**Explanation.**—*For the removal of doubts, it is hereby declared that the expression matters includes applications under section 19."*



10. Section 25 of the Act reads as follows:

**"25. Power of Chairman to transfer cases from one Bench to another.**—*On the application of any of the parties and after notice to the parties, and after hearing such of them as he may desire to be heard, or on his own motion without such notice, the Chairman may transfer any case pending before one Bench, for disposal, to any other Bench.*"

11. A conjoint reading of Sections 18 and 25 of the Administrative Tribunals Act, 1985 makes it clear that any question relating to the allocation of business to a bench of the Tribunal falls exclusively within the purview of the Chairman of the Tribunal, and his decision thereon shall be final. The impugned notification has been issued pursuant to the Chairman's order, in exercise of powers conferred under Sections 18 and 25 read with Section 22 of the Administrative Tribunals Act, 1985. Further, the impugned notification restricts the filing of only certain categories of cases before the Principal Bench. The nature of cases mentioned in the impugned notification indicates that such distribution of business among the benches of the KSAT has been made to avoid divergent or conflicting orders by its different benches. As such, this Court is not inclined to accept the



applicant's contention that Clause (2) of the impugned notification violates the right to 'access to justice' or is contrary to law.

12. In Mohammad Munner Ahamad and Others Vs The Karnataka State Administrative Tribunal, Bengaluru and Others [NC:2025:KHC-K:682-DB], a similar question arose for consideration before a Coordinate Bench of this Court. Relying on the decision in Union of India Vs Alapan Bandyopadhyay [(2022) 3 SCC 133], it upheld the Chairman's power under Section 25 of the Act and opined that there is no need to address other contentions raised including the validity of the notification, when the controversy can be resolved solely on the basis of the Chairman's power.

13. It is to be noted that though the applicant sought to quash a portion of the impugned notification, he did not implead the KSAT as a party to the proceedings. This renders the present petition defective even on technical grounds, as pointed out by the respondents. For aforesaid reasons, this Court holds that the KSAT is justified in directing the applicant to approach the Principal Bench of the KSAT for necessary redressal, vide the



impugned order dated 08.01.2026. Clause (2) of the impugned notification does not call for interference.

14. In the result, the writ petition is dismissed.

**Sd/-  
(M.I.ARUN)  
JUDGE**

**Sd/-  
(B. MURALIDHARA PAI)  
JUDGE**

VB  
CT:BCK  
LIST NO.: 1 SL NO.: 1