



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF JANUARY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 180 OF 2026 (GM-RES-PIL)

BETWEEN:

1. MR. YOGIRAJ B. PATIL
S/O. BALASAHEBGOU DA PATIL,
AGED ABOUT 61 YEARS,
OCCUPATION. SOCIAL WORKER
HAVING ADDRESS AT
SADGURU, NO.142
KUSUM NAGAR
DHARWAD - 580 008

...PETITIONER

(BY SRI DYLAN DOMINIC, ADVOCATE)

AND:

1. STATE OF KARNATAKA
VIDHANA SOUDHA
B R AMBEDKAR VEEDHI
BENGALURU - 560 001
REPRESENTED BY ITS
CHIEF SECRETARY
2. STATE OF KARNATAKA
DEPARTMENT OF PERSONNEL AND
ADMINISTRATIVE REFORMS
VIDHANA SOUDHA
B R AMBEDKAR VEEDHI



BENGALURU - 560 001
REPRESENTED BY ITS
SECRETARY

3. KARNATAKA PUBLIC
SERVICE COMMISSION
UDYOGA SOUDHA
BENGALURU - 560 001
REPRESENTED BY ITS
SECRETARY

...RESPONDENTS

(BY SMT. NILOUFER AKBAR, AGA FOR R-1 & 2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DECLARE THAT THE KARNATAKA CIVIL SERVICES (DIRECT RECRUITMENT) (GENERAL) (1ST AMENDMENT) RULES, 2022 PUBLISHED VIDE NOTIFICATION No. DPAR 14 SCR 2022 DATED 31.03.2022 (ANNEXURE-P) IN SO FAR AS IT EXCLUDING VIVA VOCE/INTERVIEW IN THE RECRUITMENT OF GROUP B POSTS IN THE STATE CIVIL SERVICES IN THE STATE OF KARNATAKA, VIDE AMENDMENT TO RULES 5 AND 9 THEREIN IN UNCONTSTITUTIONAL AND VOID, AND CONSEQUENTLY ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER, OR DIRECTION TO QUASH THE SAME AS UNCONSTITUTIONAL & ETC.

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



CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioner has filed the present petition as a Public Interest Litigation, *inter alia*, praying as under:

"1. Declare that the Karnataka Civil Services (Direct Recruitment) (General) (1st Amendment) Rules, 2022 published vide Notification No. DPAR 14 SCR 2022 dated 31.03.2022 (Annexure-P) in so far as it excluding viva voce / interview in the recruitment of Group B posts in the State Civil Services in the State of Karnataka, vide amendment to Rules 5 and 9 therein is unconstitutional and void, and consequently Issue a Writ of Certiorari or any other appropriate Writ, Order, or Direction to quash the same as unconstitutional;

2. Consequent to Relief No.1 above, declare that the 5th proviso to Rule 5 of the Karnataka Civil Services (Direct Recruitment) (General) Rules, 2021 (Annexure-N.) is contrary to the Rule 9 of the said Rules, in so far as the entry level posts of Medical Officers, Veterinary Officers, Engineers being excluded from the interview process and the right given to the State Government to exclude interview process for such posts in Group A and B as it may notify, which therefore is unconstitutional and void to that extent, and consequently, issue a Writ of Certiorari or any other appropriate Writ, Order or Direction to quash the same to that extent.

3. Declare that Rule 9 of the Karnataka Civil Services (Direct Recruitment) (General) Rules, 2021 (Annexure-



N.) in so far as it prescribing the maximum marks for interview as 5% of the marks prescribed for the Competitive Examinations, is unconstitutional and void to that extent, and consequently, issue a Writ of Certiorari or any other appropriate Writ, Order or Direction to quash the same to that extent.

4. Declare that the Karnataka Civil Services (Direct & Recruitment) (General) (1st Amendment) Rules, 2022 published vide Notification No. DPAR 14 SCR 2022 dated 31.03.2022 (Annexure-P) in so far as reducing the maximum marks for interview from 50 to 25, vide amendment to Rule 9 therein is unconstitutional and void, and consequently Issue a Writ of Certiorari or any other appropriate Writ, Order or Direction to quash the same as unconstitutional.

5. Declare that the Karnataka recruitment of Gazetted Probationers (Appointments by competitive examinations) Rule, 2020 (Annexure-L), in so far as reducing the maximum marks for interview from 200 to 50, vide amendment to Par-C of Section-I of Schedule-II, is unconstitutional and void, and consequently Issue a Writ of Certiorari or any other appropriate Writ, Order or Direction to quash the same as unconstitutional.

6. Declare that the Karnataka recruitment of Gazetted Probationers (Appointments by competitive examinations) (Amendment) Rule 2022 published vide notification number DPAR 20 SSC 2022 dated 12.04.2022 (Annexure-M) in so far as it reduced the interview marks from 50 to 25 for Gazetted probationers of State of Karnataka is unconstitutional and void, and consequently issue a Writ of Certiorari or any other appropriate Writ, Order or Direction to quash the same.

7. Issue any other such appropriate writ, order or direction as this Hon'ble Court deems fit, in the interests of justice and equity."



2. The petitioner seeks to challenge the amendment to the relevant Rules [Karnataka Civil Services (Direct Recruitment) (General) Rules, 2021, the Karnataka Civil Services (Direct Recruitment) (General) (1st Amendment) Rules, 2022, Karnataka Recruitment of Gazetted Probationers (Appointments by Competitive Examinations) Rule, 2020; and Karnataka Recruitment of Gazetted Probationers (Appointment by Competitive Examinations) (Amendment) Rules, 2022 (collectively referred to as 'Impugned Rules')], whereby the marks for interviews have been reduced in certain categories and the interview process have been done away with in certain categories.

3. It is apparent from the above, that the Rules have been amended to reduce any subjective evaluation and increase the weightage of the objective evaluation. The question of weightage to be ascribed to interviews/viva-voce for evaluation of candidates has been considered by Courts in several cases. It has been the consistent view of the Courts that the weightage given to interviews and subjective evaluation is required to be reduced.



HC-KAR

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4. In ***Ajay Hasia v. Khalid Mujib : AIR 1981 SC 487***, the Constitution Bench of the Supreme Court has observed as under :

18. The second ground of challenge questioned the validity of viva voce examination as a permissible test for selection of candidates for admissions to a college. The contention of the petitioners under this ground of challenge was that viva voce examination does not afford a proper criterion for assessment of the suitability of the candidates for admission and it is a highly subjective and impressionistic test where the result is likely to be influenced by many uncertain and imponderable factors such as predilections and prejudices of the interviewer, his attitudes and approaches, his preconceived notions and idiosyncrasies and it is also capable of abuse because it leaves scope for discrimination, manipulation and nepotism which can remain undetected under the cover of an interview and moreover it is not possible to assess the capacity and calibre of a candidate in the course of an interview lasting only for a few minutes and, therefore, selections made on the basis of oral interview must be regarded as arbitrary and hence violative of Article 14. Now this criticism cannot be said to be wholly unfounded and it reflects a point of view which has certainly some validity. It is therefore not possible to accept the contentions of the petitioners that the oral interview test is so defective that selecting candidates for admission on the basis of oral interview in addition to written test must be regarded as arbitrary. The oral interview test is undoubtedly not a very satisfactory test for assessing and evaluating the capacity and calibre of candidates, but in the absence of any better test for measuring personal characteristics and traits, the oral interview test must, at the present stage, be regarded as not irrational or irrelevant though it is



subjective and based on first impression, its result is influenced by many uncertain factors and it is capable of abuse. We would, however, like to point out that in the matter of admission to college or even in the matter of public employment, the oral interview test as presently held should not be relied upon as an exclusive test, but it may be resorted to only as an additional or supplementary test and, moreover, great care must be taken to see that persons who are appointed to conduct the oral interview test are men of high integrity, calibre and qualification."

[emphasis added]

5. In view of the above, we are unable to accept that reduction in weightage for interviews in certain categories and eliminating the same in certain other categories is unconstitutional.
6. The present petition is unmerited and is accordingly dismissed.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C.M. POONACHA)
JUDGE**