



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 63 OF 2025 (S-RES)

BETWEEN:

SRI. DEVARAJ
S/O RANGANNA,
AGED ABOUT 57 YEARS,
WORKING AS ASSISTANT ENGINEER
(PRESENT COMPULSORY RETIRED)
OFFICE OF EXECUTIVE ENGINEER
BWSSB, WASTE WATER MANAGEMENT
SDP, CHALLAGHATTA VALLEY,
SHIMSHA BHAVAN, 4TH CROSS,
JAYA NAGAR, 8TH CROSS,
BENGALURU
R/AT NO. 830, 7TH MAIN ROAD, 17TH CROSS,
ISRO LAYOUT,
BENGALURU - 560078.

...PETITIONER

(BY SRI. VIJAYA RAGHAVA SARATHY H M., ADVOCATE)

AND:

THE BENGALURU WATER SUPPLY AND SEWERAGE
BOARD
REP. BY ITS CHAIRMAN CUM DISCIPLINARY
AUTHORITY, 1ST FLOOR,
KAVERI BHAVAN, K.G.ROAD,
BENGALURU - 560009.

...RESPONDENT

(BY SRI. SANJEEV B L., ADVOCATE)

Digitally
signed by
KIRAN
KUMAR
Location:
HIGH COURT
OF
KARNATAKA



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED PENALTY ORDER OF COMPULSORY RETIREMENT OF PETITIONER AS PER ORDER BEARING NO. BEN.JA.MON/MU.AA.AA-KA/VE.NE-16/17/2021/3194/2024-25 DTD. 11.11.2024 (ANNX-A) ISSUED BY THE R-1 DISCIPLINARY AUTHORITY AS THE SAME BEING ILLEGAL AND IN OPERATIVE. DIRECT THE RESPONDENT AUTHORITIES TO RE-INSTATE OR CONTINUE THE SERVICE OF THE PETITIONER AS ASSISTANT ENGINEER W.E.F. 11.11.2024 AND RELEASE ALL CONSEQUENTIAL BENEFITS OF SALARY, SERVICE CONTINUITY AND PROMOTIONS IN WHICH HE IS LEGALLY ENTITLED FOR INCLUDING INTEREST, IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

1. The petitioner has filed this writ petition seeking for following reliefs:

- (i) to quash the impugned penalty order of compulsory retirement of petitioner as per order bearing No.Ben.Ja.Mon / Mu.Aa.Aa-Ka / Ve.Ne-16 / 17 / 2021 / 3194 / 2024-25 dated 11.11.2024 (Annexure "A") issued by the Respondent No.1 - disciplinary



authority as the same being illegal and in operative.

- (ii) direct the respondent authorities to re-instate or continue the service of the petitioner as assistant engineer w.e.f. 11.11.2024 and release all consequential benefits of salary, service continuity and promotions in which he is legally entitled for including interest, in the interest of justice and equity."

- 2. The brief facts leading rise to the filing of this writ petition are as follows:
- 3. The petitioner joined the service as a Junior Engineer at Karnataka State Construction Corporation Limited ("KSCC Ltd.") on contract basis. The service of the petitioner was regularised and continued as a Junior Engineer at KSCC Ltd. The petitioner's service came to be absorbed at Bangalore Water Supply and Sewerage Board ("**BWSSB**" for short) in 2010. One Smt.Lakshmi Nagendra Prasad filed a complaint



against the petitioner, alleging that the petitioner has obtained a plumbing licence in his son's name and conducted the plumbing contract work in the BWSSB. In pursuance of the complaint, the Chief Engineer (East) and his team conducted an enquiry regarding obtaining a licence in the name of petitioner's son and in which the petitioner pleaded that he was not aware about the provisions for obtaining a licence by his son, he had to intimate the same to the BWSSB and submit a report under Annexure-F. The disciplinary authority has issued a show-cause notice, alleging that the petitioner's son has obtained a licence regarding plumbing contract and as to why an enquiry should not be initiated against the petitioner.

4. The petitioner submitted a detailed reply. An enquiry officer was appointed and an article of charges was issued to the petitioner. The petitioner replied to the article of charges under Annexure-H. The enquiry



officer conducted an enquiry and submitted a report to the disciplinary authority holding that the charges levelled against the petitioner are proved. The Disciplinary Authority has issued a second show cause notice under Annexure-M along with the Enquiry report calling for an explanation. The petitioner has submitted a reply to the second show cause notice under Annexure-N.

5. The disciplinary authority being dissatisfied with the reply submitted by the petitioner has passed an order imposing a punishment of compulsory retirement on the petitioner vide order dated 11.11.2024 as under Annexure-A.
6. The petitioner aggrieved by the order of Compulsory Retirement filed this writ petition.
7. The respondent filed a statement of objections contending that the petitioner's son has obtained a license and the petitioner has awarded contract work



to his son. Thus, there is a violation of Rule 4 of Karnataka Civil Service (Conduct) Rules, 2021. The respondent issued a show cause notice calling upon the petitioner as to why an enquiry should not be conducted against the petitioner. The petitioner replied to the first show cause notice.

8. The respondent being dissatisfied with the reply submitted by the petitioner decided to hold an enquiry against the petitioner. It is also contended that an article of charges was issued to the petitioner and the petitioner has replied to the article of charges. The enquiry officer, after recording the evidence of the witnesses, has submitted a report stating that the charges levelled against the petitioner are proved and hence, recommended for compulsory retirement of the petitioner from service.
9. After receipt of the enquiry report, the respondent took a second show cause notice along with the



enquiry report. The petitioner has submitted a reply to the second show-cause notice. The respondent being dissatisfied with the explanation offered by the petitioner has passed the impugned order of compulsory retirement on the petitioner. The action of the respondent in imposing the punishment of compulsory retirement is in accordance with law and hence, prays to dismiss the writ petition.

10. Heard the arguments of the learned counsel for the petitioner and the learned counsel for the respondent.
11. Learned counsel for the petitioner submits that the charges levelled against the petitioner are false and baseless and he submits that the order of punishment imposed on the petitioner is disproportionate to the gravity of offence. The order of compulsory retirement is too harsh. He also submits that the charge is only in respect of the



petitioner's son taking a license, however, there is no allegation in regard to any corruption. Therefore, he submits that the matter may be referred to the disciplinary authority with a direction to take a lenient view. Hence, on these grounds, he prays to allow the writ petition.

12. *Per contra*, learned counsel for the respondent submits that the petitioner's son has obtained a license and the petitioner has awarded a contract work to his son and the act of the petitioner is in violation of Rule 4 of Karnataka Civil Services (Conduct) Rules, 2021. He submits that the enquiry officer has provided a sufficient opportunity and there is no violation of the principles of natural justice. He submits that the punishment imposed on the petitioner is just and proper and in accordance with law. Hence, on these grounds, he prays to dismiss the writ petition.



13. Perused the records and considered the submissions of the learned counsel for the parties.
14. It is an undisputed fact that the petitioner was working as an Assistant Engineer in the respondent-Establishment. The respondent has made an allegation against the petitioner that the petitioner's son had obtained a contract license and the petitioner has awarded the contract work to his son. One Lakshmi Nagendraprasad has lodged a complaint against the petitioner. In pursuance of which, the Chief Engineer (East) conducted an enquiry regarding obtaining a licence in the name of the petitioner's son and issued a show cause notice to the petitioner.
15. The petitioner has replied stating that he was not aware about the provisions for obtaining a license by his son and he has intimated the same to the BWSSB.



16. The disciplinary authority being dissatisfied with the reply submitted by the petitioner has decided to hold a departmental enquiry against the petitioner and an enquiry officer was appointed, who issued an article of charges to the petitioner. The petitioner replied to the article of charges. The enquiry officer has recorded the evidence of the witnesses and submitted a report recommending for imposing a punishment of compulsory retirement on the petitioner.
17. The respondent has issued a second show cause notice to the petitioner. The petitioner has replied to the second show-cause notice contending that the charges framed against the petitioner is only in respect of a licence obtained by his son and neither there are any charges regarding corruption against the petitioner nor awarding a contract to his son.



18. Admittedly, the respondent has not produced any record to show that a contract work was awarded by the petitioner in favour of his son and any loss is caused to the respondent. The Disciplinary Authority, without considering the said aspect, based only on the enquiry report, has passed the impugned order of punishment imposing compulsory retirement from service. The order of imposing such a punishment is disproportionate to the gravity of the alleged charges. Though, the petitioner has submitted a detailed reply to the second show cause notice, the Disciplinary Authority before passing the impugned order has not considered the entire contention taken by the petitioner in the reply to the second show cause notice. Thus, the impugned order passed by the respondent is without application of mind and also without considering the gravity of the offence alleged to have been committed by the petitioner.



19. In this view of the matter, this Court is of the considered view that the impugned order is required to be reconsidered by the respondent with a lenient approach.
20. In view of the above discussion, I proceed to pass the following order:

ORDER

- (i) The writ petition is **allowed**.
- (ii) The impugned order dated 11.11.2024 passed by the respondent against the petitioner vide Annexure 'A' is **quashed**.
- (iii) The respondent is directed to reinstate the petitioner into service forthwith.
- (iv) Insofar as back-wages and other monetary benefits are concerned, that will be subject to the outcome of the order to be passed by the respondent Authority.



- (v) The respondent is directed to reconsider and pass an appropriate order within one month from the date of receipt of a copy of this order.
- (vi) The respondent is directed to take a lenient view while considering and passing an order, including back wages.

Sd/-
(ASHOK S.KINAGI)
JUDGE

RK
List No.: 1 Sl No.: 1