



CNR: KAHCO10007932026

NC: 2026:KHC:43907-DB
CCC No. 8 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF AUGUST, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

CIVIL CONTEMPT PETITION NO. 8 OF 2026

BETWEEN:

SHARAN DESAI.M.ARCH, USA,
AGED ABOUT 63 YEARS
AREAS OF SPECIALIZATION IN ARCHITECTURE,
S/O LATE SHRI. HANAMANT RAO DESAI,
EX-MLA, AFZALPUR TALUK, APT-106, M-BLOCK,
FIRST FLOOR, RENAISSANCE EXOTICA,
JAKKUR PLANTATION ROAD, YELAHANK,
BENGALURU-560 064.
CELL:9886055114.
E-mail: sharanhdesai@gmail.com.

...COMPLAINANT

(PARTY IN PERSON)

AND:

1. DR. RAJNEESH GOEL, IAS,
FORMER CHIEF SECRETARY TO THE
GOVERNMENT OF KARNATANA, (RETIRED),
CURRENTLY RESIDING AT THE
CHIEF SECRETARY'S RESIDENCE.
52/1, PALACE ROAD, VASANTH NAGAR,
BENGALURU – 560 052.

...ACCUSED

2. THE STATE OF KARNATAKA
REPRESENTED BY THE CHIEF SECRETARY
TO THE GOVERNMENT OF KARNATAKA,
ROOM NO.320, 3RD FLOOR,

Digitally signed
by JAI JYOTHI J
Location: HIGH
COURT OF
KARNATAKA



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VIDHANA SOUDHA,
BENGALURU-560 001

...PRO-FORMA RESPONDENT

(BY SMT. NAMITHA MAHESH.B.G., AGA FOR PROFORMA R2 & A1)

THIS CCC IS FILED UNDER ARTICLE 215 OF THE CONSTITUTION OF INDIA, R/W SECTIONS 11 AND 12 OF THE CONTEMPT OF COURT ACT, 1971 WHEREIN PARTY IN PERSON/ COMPLAINANT PRAYS THAT THE HON'BLE COURT BE PLEASED TO INITIATE CONTEMPT PROCEEDINGS AGAINST THE ACCUSED DR.RAJNEESH GOEL, IAS, FORMER CHIEF SECRETARY TO THE GOVERNMENT OF KARNATAKA, FOR WILLFULLY AND DELIBERATELY DISOBEYING THE REPORTABLE JUDGEMENT/ ORDER DATED 08.02.2023 OF THIS HON'BLE HIGH COURT PASSED IN W.P.NO.16114/2021 (GM-RES) VIDE ANNEXURE-C (FINAL ORDER COPY DATED 08.02.2023).

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

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
&
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Heard the complainant who appears in person.

2. Contempt by accused No.1 is alleged of the order dated 08.02.2023 passed by this Court in W.P.No.16114/2021.



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3. This petition is filed with a delay of 697 days. The complainant was repeatedly asked by the Court to show whether any averment has been made in the petition regarding the cause for initiating contempt subsisting or that it was a case of continuing contempt, which he did not.

4. The Supreme Court, in the case of ***S. Tirupathi Rao vs. M. Lingamaiah***¹, has stated that for a continuing wrong/breach/offence to be accepted as a ground for seeking exemption in an action for contempt, the party petitioning the Court not only has to comprehend what the phrase actually means but would also be required to show, from his pleadings, the ground resting whereon he seeks exemption from limitation. Should the party fail to satisfy the Court, the petition is liable to outright rejection. The application I.A.No.1/2026 for condonation of delay is rejected. Since the I.A.No.1/2026 is rejected, this case is consigned.

¹ (2024) 20 SCC 188



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5. It may, however be mentioned that a compliance affidavit has also been filed on 01.06.2026 by the accused No.1 in which it has been stated that:

"9. It is submitted that subsequent to the Order passed by the learned Single Judge of the Hon'ble Court in Writ Petition No.16114/2021 on 20.02.2023, the Petitioner has submitted a Representation to the office of the Chief Secretary to Government of Karnataka to notify the specific criteria for nomination/selection as Member of Council of Architecture of India from the State of Karnataka (COA, New Delhi). Pursuant to the same, on 06.12.2023, the State Government has issued a Notification setting out of criteria for nomination / selection of a member to the council for ensuing vacancy. It is further submitted that as per the Government Notification dated 06.12.2023, officer to be nominated shall comply of the following conditions for representing the State Council of Architecture. The conditions which read as follows:

- 1. The Officer must have completed minimum 10 years of continuous service in the Department.*
 - 2. The Officer at the time of nomination should be working in Group 'A' Post and shall hold the designation of Chief Architect / Deputy Chief Architect / Deputy Architect.*
 - 3. The Officer must be registered with Council of Architecture, New Delhi.*
- The copy of the Government Notification dated 06/12/2023 is produced as Annexure-R1.*

10. I state that subsequently the case of the Petitioner has been considered and an Endorsement dated 16.03.2026 has been issued to the Petitioner stating that as he has failed to fulfill the criteria as prescribed as per the Notification dated 06.12.2023, issued by the State Government his request has been rejected. The copy of the Endorsement dated 16.03.2026 is herewith produced by Annexure-R2."



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6. The affidavit further sets out that there is no willful disobedience of the order and tenders an unconditional apology for the delay in complying with the directions of the Court.

7. An examination of the directions passed by the learned Single Judge of this Court was two-fold. Firstly, to consider the case of the petitioner in the ensuing nomination/selection and secondly the State Government to notify criteria pending compliance by the Union of India of the nomination criteria. The affidavit sets out that since the Union of India had not complied with its nomination criteria, the State Government notified criteria for selection, in terms of its notification of 06.12.2023. This notification has since been followed and in view of the fact that the petitioner does not fullfil criterias (i) and (ii) of said notification, his candidature has been rejected.



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8. Thus, the order of the learned Single Judge has been complied with.

**Sd/-
(JAYANT BANERJI)
JUDGE**

**Sd/-
(TARA VITASTA GANJU)
JUDGE**

KS
List No.: 1 Sl No.: 25