



CNR: KAHC010041152026

NC: 2026:KHC:44595
WP No. 1691 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 1691 OF 2026 (S-RES)

BETWEEN:

1. SRI M V MUNIYAPPA
S/O. LATE M. VENKATASWAMY,
AGED ABOUT 46 YEARS,
WORKING AS WATER INSPECTOR,
OFFICE OF THE ASSISTANT EXECUTIVE ENGINEER
CENTRAL 1-1 SUBDIVISION,
BANGALORE WATER SUPPLY AND
SEWERAGE BOARD,
A MILLER ROAD,
BANGALORE - 560 046.

... PETITIONER

(BY SRI. SATISH K., ADVOCATE)

AND:

1. BANGALORE WATER SUPPLY AND SEWERAGE BOARD
REPRESENTED BY ITS CHAIRMAN,
1ST FLOOR, CAUVERY BHAVAN,
BANGALORE - 560 006.

... RESPONDENT

(BY SRI. SHRINIVAS B S., ADVOCATE FOR C/R)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR RECORDS FROM THE RESPONDENT IN RESPECT OF THE IMPUGNED ORDER DATED 08/12-01-2026(ANNEXURE-G) AND QUASHING THE IMPUGNED ORDER OF SUSPENSION DATED 08/12-01-2026 BEARING NO.BWSSB/ADMN/GCFL/17/2025-ADMN/1283 PASSED BY THE RESPONDENT (ANNEXURE-G) AND GRANT ALL CONSEQUENTIAL BENEFITS AND ETC.

Digitally
signed by
SHILPABAI S
Location:
HIGH COURT
OF
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THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

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

ORAL ORDER

Petitioner filed this writ petition seeking for the following reliefs:

"a) Call for records from the respondent in respect of the impugned order dated 08/12-01-2026 (Annexure-G)

b) Issue a writ or order quashing the impugned order of suspension dated 08/12-01-2026 bearing No.BWSSB/ADMN/GCFL/17/2025-ADMN/1283 passed by the respondent (Annexure-G) and grant all consequential benefits, in the interest of justice and equity;

c) Pass any other Order including the costs of this Writ Petition, in the interest of justice and equity."

2. The brief facts leading rise to filing of this writ petition are as follows:

Petitioner is the employee of respondent - Board and initially appointed as a Helper. Petitioner was gained



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promotion to the post of Meter Reader. Petitioner again gained promotion to the post of Water Inspector. The mother of the petitioner passed away on 10.08.2025. There was a short fall in the revenue collection for a period from June 2025 to August 2025 on the petitioner's part. However, from September 2025 onwards, the petitioner has duly achieved the prescribed revenue collection targets. A show cause notice came to be issued by the respondents to the petitioner on 11.12.2025 to submit his explanation with regard to the alleged misconduct pertaining to his behaviour in the office, alleged irregular attendance, delay in discharge of duties and deficit collection of revenue. The petitioner submitted a detailed reply and categorically denied each allegation levelled against him vide reply dated 20.12.2025. The petitioner was kept under suspension vide order dated 08.01.2026. The petitioner aggrieved by the impugned order of suspension filed this writ petition.



3. Heard the arguments of the learned counsel for the petitioner and the learned counsel for the respondent.

4. Learned counsel for the petitioner submits that the impugned order was passed on 08.01.2026. He submits that no departmental enquiry was commenced till the expiry of 6 months from the date of passing of suspension order. He submits that if the charge sheet is not issued within a period of 6 months from the suspension, the competent authority shall decide whether to revoke or continue the suspension of such an employee and unless decided and ordered for continuation within the said period, suspension shall be deemed to have been revoked after the expiry of 6 months. The respondents have not passed any order for continuation of suspension order or no charge sheet was issued to the petitioner within 6 months from the date of passing of the impugned order. Hence, on these grounds, he prays to allow the writ petition.



5. Per contra, learned counsel for the respondent submits that the charge memo is issued to the petitioner after the expiry of 6 months. Hence, he prays to dismiss the writ petition.

6. Perused the records and considered the submissions of the learned counsel for the parties.

7. It is an undisputed fact that the petitioner is the employee of the respondent. The respondent has issued show cause notice on 11.12.2025 calling upon the petitioner to explain regarding the alleged misconduct pertaining to his behavior in the office, alleged irregular attendance, delay in discharge of duties and deficit collection. Petitioner has submitted a detailed reply dated 20.12.2025 denying the allegations made against him in the show cause notice dated 11.12.2025. Respondent has not issued any charge memo before the expiry of 6 months from the date of issuing the order of suspension.



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8. In order to consider the case on hand, it is necessary to examine Clause (b) of Sub-Rule (5) of Rule 10 of the Karnataka Civil Services Rules, 1957 (for short 'Rules, 1957') which reads as follows:

"(b) If departmental inquiry is not commenced against the delinquent Government Servant or charge sheet is not filed in the court within a period of six months from suspension, the competent authority shall decide whether to revoke or continue suspension of such Government Servant and unless decided and ordered for continuation within this period, the suspension shall be deemed to have been revoked i.e., from the date of completion of a period of six months from the date of suspension. Upon such revocation of the order of his suspension, it shall be the duty of the Government servant to immediately seek order of posting from the Appointing Authority, failing which he shall be deemed to be on unauthorized absence with effect from the date of revocation of the order of his suspension.



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Provided that authority competent to place a Government Servant under Suspension may extend the period of suspension beyond the period specified in this clause, only after consulting, within the said period, with the authority referred in clause (a) only if such authority recommends extension within the said period. Otherwise, the order placing the Government Servant under suspension shall stand revoked automatically under this clause.

9. From the bare reading of Clause (b) of Sub-Rule (5) of Rule 10 of Rules 1957, if the Departmental enquiry is not commenced against the delinquent Government servant or charge sheet is not filed within a period of 6 months from the date of suspension, the competent authority shall decide whether to revoke or continue the suspension order of such a Government Servant and unless decides and orders for continuation within this period, the suspension shall be deemed to have been revoked.



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10. In the instant case after the expiry of 6 months, the respondent - Authority has issued Articles of Charges. Admittedly, the Articles of Charges were not issued before the expiry of 6 months from the date of issuance of order of suspension. Thus, the order of suspension is deemed to have been revoked by virtue of Clause (b) of Sub-Rule (5) of Rule 10 of Rules, 1957.

11. In view of the above discussion, I proceed to pass the following:

ORDER

- (i) Writ petition is ***allowed in part.***
- (ii) The order of suspension is deemed to have revoked.
- (iii) Respondent is directed to reinstate the petitioner into service within four weeks from the date of receipt of this order.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**