



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE S.G.PANDIT

AND

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

WRIT PETITION NO. 3343 OF 2024 (S-KSAT)

BETWEEN:

SRI. RAVINDRA VITHAL JARTARKAR
S/O VITHAL
AGED ABOUT 66 YEARS
ACCOUNTS SUPERINTENDANT
PWD (RETD)
R/AT NO.114, 6TH CROSS
1ST MAIN, KANAKA LAYOUT
BANASHANKARI II STAGE
BANGALORE-560070.

...PETITIONER

(BY SRI. ANANDEESWARA D. R., ADV.)

AND:

Digitally signed by
NANJUNDACHARI
Location: High
Court of
Karnataka

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
DEPARTMENT OF PUBLIC WORKS
3RD FLOOR, VIKASA SOUDHA
DR. AMBEDKAR ROAD, BANGALORE-560001.
2. THE CHIEF ENGINEER COMMUNICATION
AND BUILDING (SOUTH)
DEPARTMENT OF PUBLIC WORKS
K R CIRCLE, BANGALORE-560001.
3. THE CHIEF ENGINEER
QUALITY ASSURANCES ZONE
PUBLIC WORKS DEPARTMENT
K R CIRCLE, BANGALORE-560001.



4. THE EXECUTIVE ENGINEER
QUALITY ASSURANCE DIVISION
PUBLIC WORKS DEPARTMENT
K R CIRCLE
BANGALORE-560001.

...RESPONDENTS

(BY SRI. V SHIVAREDDY, AGA)

THIS PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF WRIT OF CERTIORARI QUASHING THE IMPUGNED ORDER DATED 13.10.2023 PASSED BY THE KAT IN A.NO-4352/2023 AT ANNEXURE-A BY ALLOWING THE APPLICATION FILED BY THE PETITIONER AND ETC.

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

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
AND
HON'BLE DR. JUSTICE K.MANMADHA RAO

ORAL ORDER

(PER: HON'BLE MR. JUSTICE S.G.PANDIT)

The petitioner aggrieved by order dated 13.10.2023 in Application No.4352/2023 passed by the Karnataka State Administrative Tribunal at Bengaluru (for short, 'the Tribunal') is before this Court, whereunder the petitioner's prayer to quash the endorsement dated 02.02.2022 (Annexure-A19) and for a direction to the respondents to grant 10 years TBA, 15 years automatic promotion increment and 20 years additional increment by counting



his service from his initial date of appointment i.e., 05.07.1977, is rejected.

2. Heard learned counsel Sri.Anandeeshwara.D.R., for petitioner and learned Additional Government Advocate Sri.V.Shivareddy for respondents.

3. Learned counsel for the petitioner would submit that the petitioner was appointed as First Division Assistant on 05.09.1977 and subsequently at his request he was transferred from the post of First Division Assistant to the post of Store Keeper on 04.06.1984. Thereafter, the petitioner is said to have been promoted as Accounts Superintendent on 28.12.1999. Subsequently, the petitioner applied for voluntary retirement and he was permitted to retire from service voluntarily on 31.01.2013. Long after his voluntary retirement on 13.07.2019, the petitioner is said to have submitted a representation seeking grant of TBA, automatic grant of promotion on completion of 15 years and 20 years additional increments



by counting his service from the date of his initial appointment. The representation submitted by the petitioner was considered and under Annexure-A19 endorsement dated 02.02.2022, the request of the petitioner was rejected. Aggrieved by the said rejection, petitioner was before the Tribunal in the above stated Application and the Tribunal under impugned order rejected his prayer. Aggrieved by the same, the petitioner is before this Court in this writ petition.

4. In addition to the grounds urged in the writ petition, learned counsel for the petitioner would submit that the petitioner was initially appointed on 05.09.1977 and he would be entitled to count his service from his initial appointment for grant of TBA and other benefits.

5. Learned Additional Government Advocate for respondents would submit that the petitioner's initial appointment cannot be counted for the purpose of grant of TBA and other financial benefits since he got transferred to



the cadre of Store Keeper and the said transfer was at his request. He further submits that taking service from the date of his change of cadre, all benefits have been granted to the petitioner. Thus, he prayed for dismissal of the writ petition.

6. Having heard the learned counsel appearing for the parties and on perusal of the entire writ petition papers, we are not inclined to interfere with the order passed by the Tribunal.

7. Admittedly, the petitioner retired from service on 31.01.2013 by taking voluntary retirement. For the first time, representation was made in the year 2019 and thereafter endorsement was issued in the year 2022. The petitioner filed application before the Tribunal in the year 2023. There is inordinate delay in making the representation and approaching the Tribunal claiming certain financial benefits. Since the petitioner has not asserted his right within a reasonable time, he would not



be entitled for any relief under Article 226 of the Constitution of India. Moreover, Section 21 of Administrative Tribunals Act, 1985 prescribes one year limitation for filing an application from the date of cause of action.

8. Furthermore, it is seen that the petitioner has been granted time bound advancement and other financial benefits, counting his service from the date of his cadre change.

9. Thus, we do not find any error or irregularity in the order passed by the Tribunal. Accordingly, writ petition stands rejected.

Sd/-
(S.G.PANDIT)
JUDGE

Sd/-
(DR.K.MANMADHA RAO)
JUDGE