



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 277 OF 2026 (S-RES)

BETWEEN:

REV IMMANUEAL R. PUNIT,
AGED ABOUT 39 YEARS,
S/O RATHNAKAR PUNIT,
R/AT KACES CAMPUS,
BALMATTA,
MANGALURU - 575 001.

...APPELLANT

(BY SRI. RITHVIK BALANAGRAJ B., ADVOCATE)

AND:

KARNATAKA CHRISTIAN EDUCATIONAL SOCIETY (R)
HAVING ITS OFFICE AT KARNATAKA THEOLOGICAL
COLLEGE, BALMATTA - 575 001.
REPRESENTED BY ITS SECRETARY,
REV.DR. HUBERT MANOHAR WATSON.

...RESPONDENT

(BY SRI. VIJAY KRISHNA BHAT. M., ADVOCATE)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO CALL FOR RECORDS IN WP No. 25496/2024 AND EAT No. 3/2023 AND SET ASIDE THE ORDER DATED:17.11.2025 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.25496/2024 (S-RES) AND ETC.,

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present intra-Court appeal has been filed impugning the Order dated 17.11.2025 passed by the Writ Court in W.P.No.25496/2024 instituted by the respondent Educational Society against the order dated 24.08.2024 passed by the Principal District and Sessions Judge and Educational Appellate Tribunal, at D.K, Mangaluru¹ in E.A.T No.03/2023, thereby holding that the appeal filed by the appellant was maintainable under Section 94 of the Karnataka Education Act, 1983².

2. The appellant was appointed as a Warden in the Hostel by name Rev. Chennappa Uttangi Hostel run by the Karnataka Christian Educational Society registered under the Mysore Societies Registration Act, 1960.

¹ 'the Tribunal', for short

² 'the Act of 1983', for short



3. The appellant's service came to be terminated after holding a disciplinary inquiry for the misconduct committed by him. The appellant preferred an appeal under Section 94 R/w Section 96 of the Act of 1983, along with an application to stay the execution and operation of the order of termination under Section 96(3)(c) of the Act of 1983. The application was rejected by the Tribunal. Against which, the appellant preferred Writ Petition No.335/2024, which was disposed of by the Writ Court directing the Tribunal to dispose of the appeal within three months and until then, the interim order was continued.

4. The Tribunal vide order dated 24.08.2024, answered the Preliminary Issue regarding maintainability of the appeal preferred by the appellant holding that the appeal is maintainable. Against the said order, the respondent Education Society preferred the present Writ Petition. The Writ Court having considered the definition of 'Educational Institution', 'Employee' and 'Private Educational Institution', as defined under Section 2 of the



Act of 1983, has come to the conclusion that the appellant is not the employee of the Educational Institution, but he is an employee in the hostel run by the Karnataka Christian Educational Society and same cannot be termed as an Educational Institution.

5. Admittedly, the respondent Society has been imparting, providing or giving only religious instruction but not any other instruction. Moreover, there are no approved syllabi or course of studies. As such, the respondent - Society do not fall within the definition of Educational Institution as it is not imparting any education. The Tribunal without considering the definition as provided under sub-section (14), (15) and (27) of Section 2 of the Act of 1983, has answered the Preliminary Issue regarding maintainability of the appeal vide order dated 24.08.2024. Therefore, the said order was set-aside and the appeal filed by the appellant also came to be dismissed, reserving a liberty to the appellant to challenge the termination



order before the appropriate authority/ Forum in accordance with the law.

6. We find no reason to differ with the considered opinion of the Writ Court, wherein it has been held that the appellant is not an employee of the Educational Institution, but he is an employee in the hostel run by the Karnataka Christian Educational Society and the said institution would not be termed as an Educational Institution in view of definition as provided under Sub-section (15) of Section 2 of the Act of 1983. We therefore, ***dismiss*** this Writ Appeal, reserving a liberty to the appellant as per the order passed by the Writ Court.

7. In view of dismissal of the Writ Appeal, pending interlocutory applications, if any, stand disposed of.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

TKN
List No.: 1 Sl No.: 26 ct-vn