



CNR: KAHC010072662020

NC: 2026:KHC:53920-DB  
WP No. 10835 of 2021

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**  
**DATED THIS THE 29<sup>TH</sup> DAY OF SEPTEMBER, 2026**  
**PRESENT**  
**THE HON'BLE MR. JUSTICE S.G.PANDIT**  
**AND**  
**THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA**  
**WRIT PETITION NO. 10835 OF 2021 (S-KSAT)**

**BETWEEN:**

KARNATAKA LOKAYUKTA  
M.S. BUILDINGS,  
DR. B.R.AMBEDKAR VEEDHI,  
BENGALURU-560 001  
BY ITS REGISTRAR.

...PETITIONER

(BY SRI. K PRASANNA SHETTY, ADV.)

**AND:**

1. VENKAIAH INAMDAR  
S/O BASAVARAJU,  
AGED ABOUT 49 YEARS,  
BLOCK EDUCATION OFFICER,  
SHAHAPUA TALUK, YADAGIRI DISTRICT  
R/O "ASHA NILAYA", TEACHERS COLONY,  
BIJAPURA ROAD, JEWARGI TALUK-585101,  
DISTRICT KALBURGI.

2. THE STATE OF KARNATAKA  
REP. BY ITS PRINCIPAL SECRETARY  
EDUCATION DEPARTMENT,  
VIDHANA SOUDHA, BENGALURU-560 001.

...RESPONDENTS

(BY SRI. S.C. DESHMUKH, AGA FOR R2  
SRI ARAVIND H., ADV. FOR R1)

THIS PETITION IS FILED UNDER ARTICLES 226 AND 227 OF  
CONSTITUTION OF INDIA, PRAYING TO QUASH THE IMPUGNED

Digitally signed by  
NANJUNDACHARI  
Location: High  
Court of Karnataka



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ORDER DATED 21.06.2018 PASSED BY THE KARNATAKA ADMINISTRATIVE TRIBUNAL BENGALURU IN APPLICATION NUMBERS 4362/2016AT ANNEXURE-B.

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 CHILLAKUR SUMALATHA

**ORAL ORDER**

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

The petitioner – Karnataka Lokayukta represented by its Registrar is before this Court questioning order dated 21.06.2018 in Application No.4362/2016, whereunder, the show cause notice issued by the petitioner disagreeing with the finding of the Enquiry Officer was set aside with liberty to the State Government to proceed in accordance with law and observations made in the course of the order.

2. Heard learned counsel Sri.K.Prasanna Shetty for petitioner, learned counsel Sri.Aravind.H., for respondent No.1 and learned Additional Government Advocate Sri.S.C.Deshmukh for respondent No.2. Perused the entire writ petition papers.



3. Learned counsel Sri.K.Prasanna Shetty would submit that enquiry against respondent No.1 was entrusted to the petitioner-Lokayukta and the enquiry was conducted by the Enquiry Officer nominated by the Lokayukta. It is submitted that the Enquiry Officer submitted report holding that charges are not proved. Against the said report, the Lokayukta issued show cause notice dated 07.04.2016 (Annexure-A4) calling explanation from respondent No.1 as to why recommendation shall not be made not to accept the Enquiry Officer's report and to remit the matter to the Enquiry Officer for reconsideration. The said show cause notice was the subject matter of Application before the Tribunal and the Tribunal under impugned order quashed the show cause notice solely placing reliance on the decision of this Court in ***KPTCL vs. Javarai Gowda, (W.P.No.8594/2012 dated 18.02.2015)***.



4. Learned counsel Sri.K.Prasanna Shetty would submit that subsequently in the case of ***Sri.Shankarappa vs Karnataka Power Transmission Corporation Limited (W.P.No.23485/2015 dated 24.11.2016)***, the Co-ordinate bench of this Court has held that Lokayukta or Upa-Lokayukta has jurisdiction to disagree with the findings recorded by the Enquiry Officer. Therefore, he submits that the Tribunal was not justified in quashing the show cause notice.

5. On the other hand, learned counsel Sri.Aravind.H., for respondent No.1 would place on record along with memo dated 29.09.2026, the order dated 23.06.2020, whereunder, the second respondent-Government, accepting the enquiry report, subject to the outcome of Criminal Proceedings No.4/2013, on the file of District and Sessions Judge, Yadgir, dropped the further departmental proceedings against respondent No.1.



Therefore, he submits that the writ petition would no more survive for consideration.

6. In ***Sri.Shankarappa*** (supra), the Co-ordinate Bench of this Court formulated the following three questions:

- "(i) *Whether the recommendation dated 16.01.2015 (Annexure-K) given by Upa-lokayukta disagreeing with the inquiry report is tenable in law?*
- (ii) *Whether the show-cause notice dated 15.05.2015 (Annexure-L) issued to the petitioner by the Disciplinary Authority on the basis of the recommendation of Upa-lokayukta is in accordance with law?*
- (iii) *Whether the decision of this Court in the KPTCL vs. Javarai Gowda and Anr. [ILR 2015 KAR 1615] is per incuriam?"*

In respect of question Nos.(i) and (iii), it has held that the decision in ***Javarai Gowda*** (supra) is *per incuriam* and is not binding precedent. Further, it is held that when the Lokayukta or Upa-Lokayukta would send their



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recommendation, the Disciplinary Authority is entitled to disagree with the enquiry report by giving reasons.

7. In the instant case, in view of the further development that the State Government by accepting the recommendation of lokayukta and the enquiry report, has passed Government order dated 03.06.2020 and dropped the proceedings. Hence, it would be unnecessary to go into the questions raised by the petitioner. The question raised by the petitioner is left open to be decided in an appropriate proceedings.

8. For the reasons recorded above, writ petition stands ***rejected***.

**Sd/-  
(S.G.PANDIT)  
JUDGE**

**Sd/-  
(DR.CHILLAKUR SUMALATHA)  
JUDGE**

NC  
CT:bms  
List No.: 1 Sl No.: 21