



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT APPEAL NO. 202 OF 2025 (GM-RES)

BETWEEN:

1. MR. VAMANA BHAT
AGED ABOUT 60 YEARS
RESIDING AT SURABHI
OPP. PARIVAR OLDAGE HOME
NEAR ASHRAYA YUVA VEDIKE
ASHRAYA NAGARA, KADAMBODI
SURATHKAL - 575 014
MANGALURU

...APPELLANT

(BY SRI AKSHATHA SHETTY K., ADVOCATE)

AND:

1. MR. RAJESH @ RAJESH PAVITHRAN
AGED ABOUT 43 YEARS
RESIDING AT NO.6-122-7
KULAI MANGALURU
DAKSHINA KANNADA
DISTRICT: 575 019
2. THE STATE OF KARNATAKA
REPRESENTED BY
THE PRINCIPAL SECRETARY
MINISTRY OF HOME



VIDHANA SOUDHA
BENGALURU - 560 001

3. THE STATE OF KARNATAKA
REPRESENTED BY
THE DEPUTY DIRECTOR
DEPARTMENT OF WOMEN AND
CHILD DEVELOPMENT MANGALURU
DAKSHINA KANNADA DISTRICT

...RESPONDENTS

(SMT. NAMITHA MAHESH B.G., ADDITIONAL GOVERNMENT
ADVOCATE FOR R-2 & 3)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
ORDER DATED 30/07/2024 PASSED IN WRIT PETITION
NO.21239/2022 AND TO ALLOW THE IMPEADING
APPLICATION FILED BY THE APPELLANT & ETC.

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

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL JUDGMENT

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The appellant has filed the present appeal impugning an
order dated 30.07.2024 passed by the learned Single Judge in Writ
Petition No.21239/2022 (GM-RES). We note, at the outset, that



the present appeal has been filed after a delay of 159 days. Although the delay may not be very large, however in the context of the impugned order, the same may be relevant.

2. The above mentioned writ petition was filed by respondent No.1, *inter alia*, praying that directions be issued to the concerned authorities to consider his application for renewal of the registration of an old age home in the name of The Saffron Foundation and Parivar Home for the Aged located at Ashrayanagar, Surathkal near Mangaluru, Dakshina Kannada District. The learned Single Judge had allowed the petition with a direction to the concerned authorities to consider the writ petitioner's representation and pass appropriate orders after affording the writ petitioner an opportunity to be heard.

3. The appellant is not a party to the said writ petition. However, he had filed an application for impleadment. The appellant is essentially aggrieved by the impugned order to the extent that it disposes of the writ petition without considering the appellant's application for impleadment in the said petition.



4. It is contented on behalf of the appellant that respondent No.1 has been operating the old age home illegally and it is stated that the appellant has certain documents which may be relevant for deciding whether the writ petitioner's representation ought to be favourably considered.

5. We note that since the learned Single Judge has allowed the writ petition only on the ground that the writ petitioner was not given a sufficient opportunity and on a concession of the learned counsel for the State Authorities that a fair opportunity would be granted to the writ petitioner.

6. In this view, we consider it apposite to dispose of the present appeal by permitting the appellant to also submit any representation or document to oppose the grant of registration to the concerned authorities.

7. We, however, clarify that the same would be considered only if the writ petitioner's application has not been disposed of, as yet. The present order would not be construed as directing the concerned authorities to re-look at the decision already rendered.



We also clarify that this order will not be considered as precluding the appellant from availing any remedy in accordance with law.

8. The appeal is disposed of in the above terms.
9. The pending interlocutory applications also stand disposed of.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C.M. POONACHA)
JUDGE**

AHB
List No.: 2 SI No.: 30