



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 5239 OF 2021 (S-RES)

BETWEEN:

K MAHADEVIAIAH
S/O LATE KULLAIAH,
AGED ABOUT 60 YEARS,
OCC RETD DISTRICT MANAGER,
R/O 181, 11TH CROSS, 3RD MAIN ROAD,
AALANAHALLI LAYOUT,
MYSORE 570028

...PETITIONER

(BY SRI. V B SIDDARAMAIAH, ADVOCATE)

AND:

1. THE BOARD OF DIRECTORS/COMPETENT AUTHORITY/
APPELLATE AUTHORITY KSFC,
HEAD OFFICE 1/1,
THIMMAIAH ROAD,
BENGALURU 560052
2. THE KARNATAKA STATE FINANCIAL CORPORATION
BY ITS MANAGING DIRECTOR,
NO 1/1, THIMMAIAH ROAD,
BENGALURU 560052
3. THE MANAGING DIRECTOR
DR AMBEDKAR DEVELOPMENT CORPORATION LTD
(KARNATAKA SC AND ST DEVELOPMENT

Digitally signed
by KIRAN
KUMAR R
Location: HIGH
COURT OF
KARNATAKA



CORPORATION LTD)
9TH AND 10TH FLOOR,
VISHWESHWARAIHAH MINI TOWER,
DR AMBEDKAR VEEDHI,
BENGALURU 560001

...RESPONDENTS

(BY SRI. P S MALIPATIL, ADVOCATE FOR R1 & R2 (VK NOT
FILED)
SRI. VEERABHADRA R S , ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE IMPUGNED ORDER No. ಕರಾಹಸಂ/ಪ್ರ.ಕ/ಸಿಬ್ಬಂದಿ/ಪಿ.ಡಿ.-
196, DTD. 26/30.9.2019 VIDE ANNEXURE-H AND THE ORDER
No.KSFC/H.O./Pers/PD-200 DTD.06.11.2020 VIDE ANNEXURE-L
PASSED BY THE R-1 AND 2 RESPECTIVELY.

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

1. The petitioner has filed this writ petition seeking
following reliefs:

- (i) Issue a writ in the nature of
certiorari to quash the impugned
order no.ಕರಾಹಸಂ/ಪ್ರ.ಕ/ಸಿಬ್ಬಂದಿ/ಪಿ.ಡಿ.-
196, dtd. 26/30.9.2019 vide
Annexure-H and the order No.KSFC
/ H.O. / Pers / PD-200



dtd.06.11.2020 vide Annexure-L
passed by the r-1 and 2
respectively.

- (ii) Issue any other writ/order or
direction as this Hon'ble Court
deems fit to grant in the facts and
circumstances of the case in the
interest of justice and equity.

2. Brief facts leading rise to the filing of this petition are
as follows:
3. The petitioner was appointed as a Deputy Manager
(E&P) under the Karnataka State Financial
Corporation in 1991. Respondent No.3 issued a
show cause notice along with a charge memo dated
07.05.2004, alleging seven charges against the
petitioner. The petitioner replied to the said charges,
dated 21.05.2004 denying the allegations made
against him. Respondent No.3 appointed an enquiry
officer by order dated 26.06.2004 to conduct an
enquiry. The petitioner filed a representation dated
15.07.2004 requesting respondent No.3 to furnish all



the documents to appear before the departmental enquiry. The Enquiry Officer, after conducting an enquiry, has submitted a report to respondent No.2.

4. Respondent No.2, based on the enquiry report, issued a second show cause notice dated 16.08.2017 to the petitioner along with enquiry report seeking an explanation. The petitioner submitted a reply to the second show cause notice dated 12.09.2017. Respondent No.2, being dissatisfied with the reply given to the second show-cause notice passed an order to recover the amount from the gratuity and salary of the petitioner at the time of his retirement.
5. The petitioner, aggrieved by the order of punishment dated 23/30.09.2019, preferred an appeal before respondent No.1. During the pendency of the appeal, the petitioner retired from service on attaining the age of superannuation and was relieved from service as per relieving order dated 29.10.2020.



Respondent No.1 dismissed the appeal filed by the petitioner. Hence, this writ petition.

6. Respondent Nos.1 and 2 have filed a statement of objections. It is contended that the enquiry has been conducted against the petitioner in accordance with law and the enquiry officer has found him guilty of all charges levelled against the petitioner, as such, the appellate authority has rightly passed the impugned order of punishment. Hence, they pray to dismiss the writ petition.
7. Heard the arguments of the learned counsel to the petitioner and learned counsel to the respondents.
8. Learned counsel to the petitioner submits that the petitioner, aggrieved by the order of punishment, preferred an appeal before respondent No.1 and the petitioner has raised several grounds in the appeal memo. The grounds raised by the petitioner were not considered by respondent No.1 and passed the



impugned order dated 06.11.2020 vide Annexure 'L'. The impugned order passed by respondent No.1 is a cryptic order, without application of mind and detailed reasons have not been assigned. Hence, on these grounds, prays to allow the writ petition.

9. *Per contra*, learned counsel for the respondents submits that the Board has assigned the reasons and confirmed the order of punishment. The order passed by the Board is in accordance with law. Hence, on these grounds, he prays to dismiss the petition.
10. Perused the records and considered the submissions of the learned counsel for the parties.
11. It is an undisputed fact that the petitioner was working as the Deputy Manager (E&P) in respondent No.2 Corporation. Respondent No.3 issued a show cause notice along with the charge memo to the petitioner on 07.05.2004, framing seven charges. The petitioner replied to the charge memo.



Respondent No.3, being dissatisfied with the reply given by the petitioner, decided to hold an enquiry and an enquiry officer was appointed.

12. The enquiry officer, after conducting an enquiry, submitted a report stating that the charges levelled against the petitioner are proved. The disciplinary authority issued a second show-cause notice along with the copy of enquiry report. The petitioner replied to the second show-cause notice.
13. Respondent No.2 has passed an order of punishment to withhold the gratuity and other service benefits at the time of retirement. The petitioner aggrieved by the order of punishment preferred an appeal before respondent No.1. Respondent No.1 has passed an order vide Annexure-L.
14. I have perused Annexure-L. The Board, in one paragraph, has dismissed the appeal without assigning any cogent and detailed reasons. Though



the petitioner has raised several grounds in the appeal memo, respondent No.1 has not considered the grounds raised by the petitioner in the appeal memo. The impugned order passed by respondent No.1 is contrary to the records and without application of mind and more importantly, no detailed reasons have been assigned while confirming the order of punishment. Thus, the impugned order passed by respondent No.1 is a cryptic order and as such, the same is unable to be set aside.

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

ORDER

- (i) The writ petition is ***allowed.***
- (ii) The impugned order dated 06.11.2020 passed by respondent No.2 vide Annexure 'L' is hereby quashed.



- (iii) The appeal filed by the petitioner is restored on its original file.
- (iv) Respondent No.1 is directed to hear and pass an appropriate order by assigning detailed reasons within three months from the date of receipt of a copy of this order.
- (v) The petitioner is directed to appear before respondent No.1 on 10.08.2026.
- (vi) All contentions of the petitioner are kept open.

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

RK
List No.: 1 Sl No.: 67