



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF JANUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 7127 OF 2025 (S-RES)

BETWEEN:

H. THIMMEGOWDA
S/O N.T.HALEGOWDA
AGED ABOUT 75 YEARS
RETD. SELECTION GRADE PHYSICAL
EDUCATION DIRECTOR
SAC COLLEGE, NAGAMANGALA - 571 432
R/AT NO.135, BINDIGANAVILE ROAD
T.B.EXTENSION, NAGAMANGALA - 571 432.

...PETITIONER

(BY SRI. MURALIDHAR K B., ADVOCATE)

AND:

1. STATE OF KARNATAKA BY ITS
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT
HIGHER EDUCATION DEPARTMENT
MS BUILDINGS, BENGALURU - 560 001.
2. COMMISSIONER
DEPARTMENT OF COLLEGIATE EDUCATION
UNNATHA SHIKSHANA SOUDHA
SHESHADRI ROAD, BENGALURU - 560 001.

...RESPONDENTS

(BY SMT. ANITHA N, AGA FOR R1 & R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ENDORSEMENT BEARING NO. NO.DCE/SS-1/UGC/14/2021/SER-1 DATED: 31.01.2024 OF THE 2ND RESPONDENT (ANNEXURE-W) HOLDING THE SAME AS

Digitally signed by
MALATHI
CHALUVAIYENGAR
Location: HIGH
COURT OF
KARNATAKA



ILLEGAL, BAD IN LAW AND ARBITRARY ONE, IN THE INTEREST OF JUSTICE AND EQUITY 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 H.T. NARENDRA PRASAD

ORAL ORDER

This writ petition is filed under Articles 226 & 227 of the Constitution of India, seeking the following relief:

"(i) Issue WRIT OF CERTIORARI quashing the Impugned Endorsement bearing No. No.DCE/SS-1/UGC/14/2021/SER-1 dated 31.01.2024 of the 2nd Respondent (ANNEXURE - W) holding the same as illegal, bad in law and arbitrary one, in the interest of justice and equity.

(ii) Issue WRIT OF MANDAMUS directing the Respondents to sanction of the benefit of fixation of pay of the Petitioner at Rs.14940/-in the revised UGC pay scales of 1996 w.e.f. 01.01.1996 with consequential monetary benefits in the light of the Order of the Hon'ble High Court of Karnataka dated 13.02.2009 passed in W.P.No.5855/2008 (S) of Sri.N.Ramesh (Annexure-F) and the Order dated 13.08.2012 passed in W.P.No.65861-62/2012 (S-R) of Sri.K.C.Patil & another (Annexure G) and the Government Order bearing No.ED 02 UPC 2013 dated 07.01.2014 passed by the 1st Respondent



(Annexure- K) and the Government Order bearing No.ED 57 UPC 2014 dated 25.04.2014 (Annexure-L) and to pay the balance amount of Rs.1,25,960/- with Interest @ 8% per annum, in the interest of justice and equity.”

2. The facts of the case are that, the petitioner is a retired Selection Grade Physical Education Director, who was appointed as a Physical Education Teacher at SAC College, Nagamangala, on 10.09.1973. The benefit of the UGC pay scale has been extended to the teaching staff; however, the same has not been extended to Physical Education Directors on the ground that they are non teaching staff.

3. The learned counsel appearing for the petitioner submitted that this issue has been decided by this Court in W.P.No.3271/2020, disposed of on 04.07.2024, holding that the benefit has to be extended to the teaching staff as well as Librarians and Physical Education Teachers. He also relied upon the judgment of this Court in a similar matter in W.P. No. 19467/2022, disposed of on 03.03.2025.



4. The learned Additional Government Advocate appearing for the respondents submitted that the issue involved in the present writ petition is squarely covered by the judgment of the Division Bench of this Court, which has been upheld by the Apex Court, and that, following the same, Coordinate Benches of this Court have also passed orders in W.P.No.3271/2020, disposed of on 04.07.2024 and W.P.No.19467/2022, disposed of on 03.03.2025.

5. In view of the above, the following order is passed:

- (i) The writ petition is allowed.
- (ii) The endorsement dated 31.01.2024 issued by the second respondent vide Annexure-W is quashed.
- (iii) The petitioner is entitled for re-fixation of his pay scale at the rate of Rs.14,940/- with effect from Rs.01.01.1996 with all consequential benefits.



- (iv) The respondents are directed to comply with the directions as expeditiously as possible, not later than three months from the date of receipt of a copy of this order.
- (v) In view of disposal of the petition, all pending applications stand disposed of.

Sd/-
(H.T. NARENDRA PRASAD)
JUDGE

CM
LIST NO.: 1 SL NO.: 66