



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. JUSTICE S.G.PANDIT

AND

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

WRIT PETITION NO. 8798 OF 2025 (S-KSAT)

BETWEEN:

1. SMT.RENUKA
D/O SRI KASHINATH,
W/O SRI RAJKUMAR BAPURE,
AGE ABOUT 38 YEARS,
R/O NEAR POST OFFICE,
KOLLUR, AURAD-B TALUK,
DISTRICT BIDAR- 585 326.
2. MS. VINITHA S.,
D/O SHEKHAR,
AGE ABOUT 29 YEARS,
R/O HALE KOTEJAGERI SATHEGALA,
TALUK: KOLLEGAL,
CHAMARAJANAGAR DISTRICT-571313.

...PETITIONERS

(BY SRI. RANGANATHA S JOIS, ADV.)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF HEALTH AND
FAMILY WELFARE SERVICES,
VIDHANA SOUDHA,
BENGALURU - 560001,
REP. BY ITS PRINCIPAL SECRETARY.
2. MEMBER SECRETARY,
SPECIAL RECRUITMENT COMMITTEE
AND CHIEF ADMINISTRATOR,
HEALTH AND FAMILY WELFARE SERVICES,

Digitally signed by
VIJAYALAKSHMI
B N



Location: HIGH
COURT OF
KARNATAKA



AROGYA SOUDHA, MAGADI,
BENGALURU - 560 009.

...RESPONDENTS

(BY SRI. K.R. RAJENDRA, AGA FOR R1 & R2)

THIS PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO I) CALL FOR RECORDS RELATING TO THE IMPUGNED ORDER DATED 03.03.2025 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL MADE IN APPLICATION NO.20745-746/2024 VIDE ANNEXURE-A, PERUSE AND SET ASIDE THE ORDER AS ERRONEOUS AND CONTRARY TO LAW AND AFFECTING THE VALID RIGHTS OF ARTICLE 14, 16 (1) AND 21 OF THE CONSTITUTION AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
AND
HON'BLE DR. JUSTICE K.MANMADHA RAO

ORAL ORDER

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

Petitioners are before this Court under Article 226 of the Constitution of India questioning the order dated 03.03.2025 in Application No.20745 and 20746/2024 passed by the Karnataka State Administrative Tribunal at Bengaluru (for short, 'the Tribunal') whereunder the petitioners challenge to endorsements dated 02.02.2022 (Annexures-A9 and A10) issued by the Special



Recruitment Committee deleting their names from the final select list of Staff Nurse (Diploma) is rejected.

2. The second respondent – Special Recruitment Committee issued notification dated 20.06.2017 inviting applications from the eligible candidates to fill up the posts of Staff Nurses (Diploma in Nursing) (Annexure-A1). In pursuance to the said notification, the petitioners applied for the said post claiming reservation as Scheduled Tribe candidates. On completing the selection process, the respondents' published final select list under notification dated 16.07.2020 (Annexure-A2). The petitioners were selected under ST/G and ST/RL categories respectively. On their selection, they were issued with intimation letter on 29.08.2020 (Annexure-A3) to be present for counseling for selecting the place of posting.

3. In the meanwhile, the second respondent addressed letter to the respective Deputy Commissioners i.e., Deputy Commissioner of Chamarajanagar District and Deputy Commissioner of Bidar District, enclosing the caste



certificate of petitioners respectively for verification. On verification, the Deputy Commissioner of Bidar District forwarded Sindhuthva certificate dated 01.04.2022 and in respect of second petitioner, the Deputy Commissioner of Chamarajanagar District forwarded the Sindhuthva certificate dated 25.10.2021 on 11.11.2021. However, under the endorsement dated 02.02.2022 issued in respect of both the petitioners by second respondent (Annexures-A9 and A10), names of the petitioners were deleted from the final select list on the ground that the final select list would be in force for a period of one year in terms of Rule 7(3) of the Karnataka Directorate of Health and Family Welfare Services (Recruitment to Staff Nurses with Diploma in Nursing) (Special) Rules, 2017 (for short, 'Rules 2017') and as even after one year Sindhuthva certificate is not received, the names of the petitioners are deleted from the final select list. Questioning the said endorsements, the petitioners were before the Tribunal in the above stated applications. The Tribunal rejected the



applications holding that the applicants i.e., the petitioners herein have not been able to establish whether there was a delay on the part of petitioners in submitting documents or otherwise from the Deputy Commissioner concerned. Questioning the impugned order passed by the Tribunal as well as the deletion of their names from the final select list, the petitioners are before this Court in this writ petition.

4. Heard learned counsel Sri.Ranganatha S Jois through virtual hearing and learned AGA Sri.K R Rajendra for respondent Nos.1 and 2.

5. Perused the entire writ petition papers.

6. The facts are not in dispute.

7. The petitioners being qualified for the post of Staff Nurse (Diploma in Nursing), applied for the said post in pursuance to notification dated 20.06.2017 claiming reservation under ST(women) category. It is also not in dispute that the petitioners were selected and their name



finds place in final select list dated 16.07.2020 at Serial No.831 and 801 respectively and, they were selected under ST/G and ST/RL respectively. On their selection under intimation letter dated 29.08.2020 (Annexure - A3), petitioners were called for counseling to select the place/posting. In the meanwhile, their caste certificates were forwarded to the respective Deputy Commissioners i.e., Bidar as well as Chamarajanagar for verification or for issuance of Sindhuthva Certificate. The Deputy Commissioner of respective districts issued Sindhuthva Certificate only on 01.04.2022 and 25.10.2021 respectively.

8. The Tribunal while dismissing the applications of the petitioners failed to appreciate the fact that the petitioners were not responsible for delay in issuance of Sindhuthva Certificate. The second respondent - Special Selection Committee by letter dated 23.07.2020 (Annexure - A4) forwarded the caste certificates of the petitioners to the respective Deputy Commissioners for



verification. If the Deputy Commissioners of respective districts delayed issuance of validity certificate, the petitioners cannot be made to suffer. It is true that in terms of Rule 7(2) of Rules 2017, the validity of the select list would be for a period of one year. The same would have no application to the facts and circumstances of the present case. In the instant case, the petitioners were selected and they were called for counseling to select the places immediately under communication dated 29.08.2020 and the petitioners participated in the counseling. If the concerned Deputy Commissioners delayed in issuing the validity certificate, the petitioners cannot be held responsible and it is for the selecting authority to get the Sindhuthva Certificate. There is no allegation of non-submission of certificate by the petitioners to the second respondent - Special Selection Committee. The petitioners have made available their caste certificates along with the application and, original certificates are made available during the verification of



documents. If the second respondent fails to obtain the validity certificate within a reasonable time, the petitioners cannot be punished when the petitioners have not committed any mistake or misrepresented before the second respondent. Their candidature could not have been cancelled citing Rule 7(3) of Rule 2017 that the select list would expire one year from the date of its publication. It is not the case of the respondents that the petitioners have failed to attend counseling, as such Rule 7(3) of Rule 2017 would have no application. Thus, the action of the respondents in deleting the names of the petitioners from the final select list is wholly arbitrary and is the result of total non-application of mind and inaction of respondent Nos.1 and 2.

9. The Tribunal though observed that the Hon'ble Supreme Court has made it clear that exercise of verification of community certificate must be completed expeditiously, it failed to take note of the facts and circumstances of the present case, that there is no fault or



misrepresentation by the petitioners, dismissed the application observing that the petitioners are also responsible for obtaining the validity certificate, which is not correct. Thus, we are of the considered opinion that the petitioners have made out a case for interference with the Tribunal order as well as with the endorsement whereunder the petitioners names are deleted from the final select list. Hence, the following Order:

ORDER

- i. The Writ Petition is ***allowed***.
- ii. Order dated 03.03.2025 in Application No.20745 and 20746/2024 passed by the Tribunal is quashed.
- iii. Consequently, endorsement bearing No.ಎಸ್ಆರ್ಸಿ/21/2017-18 dated 02.02.2022 (Annexure - A9 and A10) are quashed.
- iv. The respondents shall consider the case of the candidature of the petitioners for appointment as



Staff Nurses (Diploma in Nursing) taking note of validity certificate dated 01.04.2022 and 25.10.2021 respectively (Annexure - A6 and A7).

v. Three months time is granted for compliance of the instant order from the date of upload.

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

**SD/-
(DR.K.MANMADHA RAO)
JUDGE**

NC,GSR
CT:bms
List No.: 1 Sl No.: 7