



CNR: KAHC010230922026

NC: 2026:KHC:48702-DB
WP No. 10280 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 8TH DAY OF SEPTEMBER, 2026
PRESENT
THE HON'BLE MR. JUSTICE S.G.PANDIT
AND
THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA
WRIT PETITION NO. 10280 OF 2026 (S-KSAT)

BETWEEN:

THE STATE OF KARNATAKA
REP. BY ITS SECRETARY,
REVENUE DEPARTMENT,
M. S. BUILDING,
BENGALURU -560 001.

...PETITIONER

(BY SRI. B S SUDHINDRA, HCGP)

AND:

1. SRI H.P. RAGHUPATHI
S/O. LATE CHIKKAPAPAIHAH,
AGED ABOUT 67 YEARS,
WORKING AS DEPUTY TAHSILDAR (RETIRED),
R/AT NO.171, COURT ROAD, 4TH WARD,
ROJIPURA, DODDABALLAPURA,
BENGALURU RURAL DISTRICT-561203.

2. THE REGISTRAR,
KARNATAKA LOKAYUKTA,
DR. AMBEDKAR VEEDHI,
BENGALURU 560 001.

...RESPONDENTS

(BY MISS. SARITHA A. L., ADV. FOR R1
SRI K PRASANNA SHETTY, ADV. FOR R2)

Digitally signed by
NANJUNDACHARI
Location: High
Court of Karnataka



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THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR THE RECORDS; ISSUE A WRIT, ORDER OR DIRECTIONS IN THE NATURE OF CERTIORARI AND TO SET ASIDE THE FINAL ORDER PASSED BY THE TRIBUNAL ON 14.10.2022 IN APPLICATION NO.3336 OF 2021 VIDE ANNEXURE-A TO THE WRIT PETITION AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, 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 DR. JUSTICE CHILLAKUR SUMALATHA)

Heard Sri.B.S.Sudhindra, learned High Court Government Pleader who represents the writ petitioner, Smt.Saritha.A.L., learned counsel for respondent No.1 as well as learned counsel for respondent No.2.

2. Seeking the Court to set aside the order passed by the Karnataka State Administrative Tribunal at Bengaluru (for short, 'the Tribunal') in Application No.3336/2021 dated 14.10.2022, this writ petition is filed.



3. The matrix of the case as per the version of the petitioner is that respondent No.1 was working as Deputy Tahsildar, Nadakacheri, Gowribidanur Taluk, Chikkaballapura District in the year 2014. During that time, one Sri.Gangadharappa of Nagenahalli Village, submitted a complaint to the Lokayukta alleging that respondent No.1 demanded a sum of Rs.10,000/- as bribe in order to transfer the Khatha of land admeasuring 0.21 guntas in Sy.No.9/07 and land admeasuring 0.27 guntas in Sy.No.7/3 of Nagenahalli Village, on the strength of gift deed executed by him in favour of his wife. Bribe amount was scaled down to Rs.8,000/-. The conversation was recorded in a voice recorder by the complainant which was supplied to him by the Police Inspector of Manchenahalli. A case was registered against respondent No.1 and a trap was laid. However, the trap was unsuccessful. Show cause notice was issued to respondent No.1 to show cause as to why recommendation should not be made to the



competent authority to initiate disciplinary proceedings against him. Respondent No.1 submitted his reply. However, the Upa-Lokayukta made recommendation under Section 12 (3) of the Karnataka Lokayukta Act, 1984 to the competent authority recommending to initiate disciplinary action against the respondent. Thereby, departmental enquiry was conducted. Also, basing on the criminal case registered against respondent No.1 alleging that he committed offence punishable under Sections 7, 13(1)(d) read with Section 13 (2) of the Prevention of Corruption Act, 1988, trial was conducted. However, respondent No.1 was acquitted of the charges leveled against him in the criminal case. In the departmental enquiry conducted, Enquiry Officer submitted his report and second show cause notice was issued. Aggrieved by the same, reply was submitted. However, penalty was imposed through order dated 16.06.2021 withholding 50% of the pension.



4. Aggrieved by the action taken, respondent No.1 filed Application No.3336/2021 before the Tribunal seeking the Tribunal to quash the impugned order dated 16.06.2021. Having heard both the sides, Tribunal passed order allowing the Application and setting aside the order dated 16.06.2021. The writ petitioner was directed to pay all consequential monetary benefits to respondent No.1 to which, he is legally entitled to. Aggrieved by the decision thus taken, the State is before this Court.

5. Before advertng to the merits of the matter, it is pertinent to mention that the impugned order i.e., order passed by the Tribunal was in the year 2022 i.e., on 14.10.2022 and State filed the present writ petition challenging that order in the year 2026 i.e., on 27.03.2026. Learned High Court Government Pleader failed to state any convincing reasons as to why State took such a long time in approaching this Court seeking appropriate relief of quashing the impugned order. No



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avermment is made in the writ petition stating the bonafides on the part of the petitioner in approaching this Court, after long lapse of about four years.

6. Be that as it may, coming to the merits of the matter, admittedly trap was unsuccessful. Therefore, it is incumbent on the part of the Disciplinary Authority to establish at-least the demand of bribe. The only material available to establish that fact is the conversation recorded through voice recorder. To establish that conversation, CD was produced. However, as rightly observed by the Tribunal, the genuineness of the CD was not established. No certificate as required under Section 65-B(4) of the Evidence Act was produced. Therefore, the CD produced should not have been taken into consideration to arrive at conclusion that the conversation present therein is genuine and that it went on between respondent No.1 and the complainant. Also, there is a clear observation that before filing of the complaint itself, Khatha was already changed



in the name of the wife of the complainant. Therefore, even on that count, the alleged conversation which is present in the CD cannot be believed to be true and genuine.

7. Enquiry Officer has not considered these aspects and submitted his report. Therefore, as rightly observed by the Tribunal, the findings given and the decision taken by the disciplinary authority cannot be held to be in accordance with law. Therefore, the Tribunal has rightly held that the enquiry report basing on which disciplinary action was taken against the respondent is unsustainable.

8. Thus, we find no infirmity in the impugned order and therefore we are of the view that the writ petition deserves to be dismissed.

9. Accordingly, writ petition is ***dismissed***.



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10. In view of dismissal of the writ petition, all the pending I.As stand disposed of.

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

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

NC
CT:bms
List No.: 1 SI No.: 25