



CNR: KAHC010256062026

NC: 2026:KHC:44081
WP No. 11728 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 11728 OF 2026 (S-RES)

BETWEEN:

SRI K T THIMMAIAH
S/O LATE THIMMAPPAIHA,
AGED ABOUT 85 YEARS,
R/AT NO. 167 SRIGANDHA NAGAR,
MAIN ROAD,
HEGGANAHALLI VISHWANEEDAM POST,
BANGALORE 560091
(THE PETITIONER NOT CLAIMING SENIOR CITIZEN
BENEFIT)

...PETITIONER

(BY SRI. SUNDARESH H C., ADVOCATE)

AND:

1. THE MANAGING DIRECTOR
BESCOM, CORPORATE OFFICE
K R CIRCLE, BENGALURU 560001
2. THE EXECUTIVE ENGINEER (V)
O AND M DIVISION
EXECUTIVE CIRCLE,
INDIRANAGAR DIVISION,
BESCOM, BENGALURU 560 008

...RESPONDENTS

(BY SRI. LIKITH R PRAKASH, ADVOCATE FOR
SMT. D J RAKSHITHA (VK NOT FILED))

Digitally
signed by
SHILPABAI S

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:

- A) SET ASIDE THE ENDORSEMENT BEARING
NO.KANIE(V)/ EV/LE/SALE/HISA
(C)/2024-25/2628 DATED 16-08-2024
ISSUED BY 2ND RESPONDENT AS PER
ANNEXURE-E.

- B) ISSUE WRIT IN THE NATURE OF
MANDAMUS DIRECTING THE
RESPONDENT TO CONSIDER THE
REPRESENTATIONS FILED BY THE
PETITIONER DATED 30-03-2026 AS PER
ANNEXURE-L FOR PAYMENT OF INTEREST
FOR THE PENDING TERMINAL BENEFITS
AT THE RATE OF 9% P.A AS PER THE
ORDER PASSED BY THIS HON'BLE COURT
IN W.P.NO.11517/2018 DATED 09-11-
2020 AS PER ANNEXURE-D. AS PER THE
MEMO OF CALCULATION FILED BY THE
RESPONDENT AS PER ANNEXURE- J. AND
FURTHER ISSUE DIRECTION TO PAY
INTEREST AT THE RATE OF 9% P.A FOR
DELAY IN SETTLEMENT OF PENSION
AMOUNT I.E. FROM 1999 TO 2013 AND
12% INTEREST FOR EL ENCASHMENT
AMOUNT AS PER GO DATED 13-09-1994
AS PER ANNEXURE - F.

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



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ORAL ORDER

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

- a) Set aside the endorsement bearing No.KANiE(v)/ EV/Le/SaLe/Hisa (C)/2024-25/2628 dated 16-08-2024 issued by 2nd respondent as per Annexure-E.
- b) issue writ in the nature of mandamus directing the respondent to consider the representations filed by the petitioner dated 30-03-2026 as per Annexure-L for payment of interest for the pending terminal benefits at the rate of 9% p.a. as per the order passed by this Hon'ble Court in W.P.No.11517/2018 dated 09-11-2020 as per Annexure-D as per the memo of calculation filed by the respondent as per Annexure- J.
- c) further issue direction to pay interest at the rate of 9% p.a. for delay in settlement of pension amount i.e. from 1999 to 2013 and 12% interest for EL encashment amount as per go dated 13-09-1994 as per Annexure - F.

2. Brief facts leading rise to the filing of this writ petition are as follows:

3. The petitioner is a retired employee of the respondent-Corporation, on attaining the age of



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superannuation on 30.06.1999. During his service, respondent-Corporation initiated a disciplinary proceeding against the petitioner for the alleged misconduct and after holding an enquiry, the disciplinary authority passed an Order dated 02.05.2015 to drop the proceedings initiated against the petitioner. Though the disciplinary authority has dropped the proceedings against the petitioner, however, the respondent-Corporation failed to settle the terminal benefits of the petitioner. The petitioner approached this Court in W.P. No.11517 of 2018. The said writ petition came to be allowed vide Order dated 09.11.2020 and directed the respondent-Corporation to settle the terminal benefits along with interest within 2 weeks from the date of said order and further imposed a cost of ₹50,000/- on the respondent-Corporation.

4. After the disposal of the writ petition, the respondents, though settled some of the terminal



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benefits of the petitioner i.e., gratuity with interest and earned leave encashment amount, however, have failed to settle other terminal benefits. The petitioner submitted a representation requesting to settle the terminal benefits, which the petitioner is entitled to. The respondent issued an endorsement, stating that as per the Court order, they have settled all the benefits. The action of the respondent-Corporation is arbitrary.

5. The petitioner made a detailed representation for settlement of all pending terminal benefits along with 9% interest per annum as per the order passed in W.P. No.11517 of 2018 disposed of on 09.11.2020. The representation was not considered by the respondent-Corporation.
6. The petitioner filed a writ petition in WP No.6504 of 2025. The said writ petition came to be allowed vide order dated 17.12.2025. The respondent-Corporation



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has filed a memo of calculation calculating the principal amount along with 9% interest on the pending terminal benefits.

7. After the disposal of the said writ petition, the petitioner gave another representation dated 30.03.2026. The respondent did not consider the said representation. It is contended that the respondent-Corporation has failed to settle the terminal benefits of the petitioner. Hence, this writ petition.
8. Heard the arguments of the learned counsel for the petitioner and learned counsel for the respondents.
9. Learned counsel for the petitioner submits that the petitioner approached this Court in Writ Petition No.11517 of 2018. The said writ petition came to be allowed vide Order dated 09.11.2020. While disposing of the said writ petition, the respondent-Corporation was directed to release the terminal



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benefits accrued to the petitioner from the date of his retirement i.e., 30.06.1999 along with interest at the rate of 9% per annum from the date it fell due till satisfaction of the said amount, by the respondent-Corporation. He submits that the respondent-Corporation did not comply with the order passed by this Court in Writ Petition No.11517 of 2018.

10. The petitioner submitted a set of representations dated 18.02.2024, 19.11.2024 and 31.01.2025. The respondent-Corporation did not consider the representations and issued an endorsement dated 16.08.2024. He submits that this Court, vide Order dated 17.12.2025 disposed of the said writ petition, in view of the undertaking given by the respondent that they would pay the amount of ₹1,92,086/-. He submits that now the respondents have refused to pay the interest over the pending terminal benefits at the rate of 9% per annum, as ordered by this Court.



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Hence, on these grounds, he prays to allow the writ petition.

11. Learned counsel for the respondent-Corporation submits that the respondent has already paid all the amount due to the petitioner and they are not liable to pay interest as claimed by the petitioner. Hence, on these grounds, he prays to dismiss the writ petition.

12. Perused the records and considered the submissions of the learned counsel for the parties.

13. It is an undisputed fact that the petitioner approached this Court in W.P. No.11517 of 2018. This Court, vide Order dated 09.11.2020, allowed the writ petition and directed the respondent-Corporation to release the terminal benefits accrued to the petitioner from the date of his retirement i.e., from 30.06.1999, along with interest at the rate of 9% per annum from the date it fell due till its satisfaction by



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the respondent-Corporation, within two weeks from the date of receipt of a copy of that order. Further, this Court imposed a cost of ₹50,000/- on the respondent-Corporation payable to the petitioner.

14. After the disposal of the said writ petition, the respondent-Corporation has issued an endorsement vide Annexure-E dated 16.08.2024 declining to pay interest on the said amount. Thereafter, the petitioner has submitted a representation along with a memo of calculation vide Annexure-J, wherein the petitioner is entitled for an interest of ₹6,37,246/- as per the order passed in writ petition No.11517 of 2018. The said representation was not considered by the respondent-Corporation.

15. The petitioner filed W.P. No.6504 of 2025 and the said writ petition was disposed of on the undertaking given by the respondent-Corporation that they would pay the amount of ₹1,92,086/- and further, liberty



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was reserved in favour of the petitioner to make any further claims, if he is entitled for the same.

16. Admittedly, the petitioner is entitled for interest on the belated payment of terminal benefits. Respondents have not paid the entire terminal benefits within time. Thus, the petitioner is entitled for interest at the rate of 9% per annum as per the Order dated 09.11.2020 passed in Writ Petition No.11517 of 2018. Thus, the action of the respondent-Corporation in not paying the interest as per the order passed in the aforesaid writ petition and issuing the impugned endorsement, is in violation of the directions issued vide order passed by this Court in Writ Petition No.11517 of 2018.
17. In view of the above discussion, I proceed to pass the following order:

ORDER

- (i) The writ petition is ***allowed***.



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- (ii) The impugned endorsement dated 16.08.2024, passed by 2nd respondent-Corporation vide Annexure-E is hereby ***quashed***.
- (iii) The respondents are directed to consider the representation submitted by the petitioner vide Annexure-L dated 30.03.2026 and pass an appropriate order, in accordance with law within a period of 15 days from the date of receipt of a copy of this order.
- (iv) In view of the disposal of the writ petition, pending interlocutory applications, if any, do not survive for consideration and are accordingly disposed of.

Sd/-
(ASHOK S.KINAGI)
JUDGE

RK
List No.: 1 Sl No.: 54