



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

REVIEW PETITION NO.213 OF 2026

BETWEEN:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
CHIEF SECRETARY TO GOVT.,
VIDHANA SOUDHA,
BENGALURU - 560 001.
2. STATE OF KARNATAKA
REPRESENTED BY ITS
SECRETARY,
MINISTRY OF PRIMARY AND
SECONDARY EDUCATION,
VIDHANA SOUDHA,
BENGALURU - 560 001.
3. KARNATAKA SCHOOL EXAMINATION AND
ASSESSMENT BOARD,
6TH CROSS, MALLESHWARAM,
BENGALURU - 560 003.
REPRESENTED BY ITS CHAIRMAN.

Digitally signed by
CHAYASA
Location: HIGH
COURT OF
KARNATAKA

...PETITIONERS

(BY SRI. K. SHASHI KIRAN SHETTY, AG A/W
SRI. KIRAN V. RON, AAG A/W
SRI. H.K. KENCHEGOWDA, AGA)



AND:

1. SAHANA R. NAIK,
D/O RAJANAYAKA S.R.,
AGED ABOUT 15 YEARS,
MINOR BY GUARDIAN, FATHER
RAJANAYAKA S.R.,
R/AT NO.16, S.L. TANEDYA,
SINGATGERE HOBLI,
P.O. SOMANAHALLI,
KADUR TALUK,
CHIKKAMAGALURU DISTRICT - 577 148.
2. ANUSHA,
D/O VITTAL KULAI,
AGED ABOUT 16 YEARS,
MINOR BY GUARDIAN, FATHER,
VITTAL KULAI,
R/AT NO.4-45, ANUGRAHA,
HINKALDI PETHRI, CHERKADI,
UDUPI - 576 215.
3. SUDHIKSHA,
D/O RAVI,
AGED ABOUT 15 YEARS,
MINOR BY GUARDIAN, MOTHER
SUNANDA,
R/A NO.BADAGUDDE, HEBRI,
HEBRI POST,
UDUPI DISTRICT - 576 112.

...RESPONDENTS

(BY SRI. R.V. NAIK AND SRI. V. RAJANNA, ADVOCATES)

THIS REVIEW PETITION IS FILED UNDER ORDER XLVII
RULE 1 AND SECTION 114 OF CPC 1908, PRAYING TO REVIEW



THE ORDER DATED 15.04.2026, PASSED IN WRIT PETITION NO.11717/2026 (EDN RES), A COPY OF THE SAME IS PRODUCED AS ANNEXURE - A AND REHEAR THE MATTER.

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

1. This Review Petition is filed by the State Government assailing the Order dated 15.04.2026 passed in W.P.No.11717/2026.

2. Heard Sri. K. Shashi Kiran Shetty, learned Advocate General along with Sri. Kiran V. Ron, learned Additional Advocate General and Sri. H.K. Kenchegowda, learned Additional Government Advocate appearing for the petitioners and Sri. R.V. Naik, learned counsel appearing for the respondents.

3. It is argued by the learned Advocate General appearing for the petitioners-State, that the identical matter was listed before the Division Bench of this Court in W.P. No.10676/2026,



wherein, this Court, by Order dated 10.04.2026, dismissed the Writ Petition with cost and therefore, sought for review of the order impugned in this Review Petition. It is also argued by the Learned Advocate General by referring to the Paragraph 8 of the impugned order, wherein, this Court in the second part of the order has ordered that any subsequent modification is contrary to Article 14 of the Constitution. Therefore, it is argued that the later part of the order would affect the interests of the State Government in so far as taking any further decision in future, and accordingly sought for interference of this Court.

4. It is also argued by the learned Advocate General by referring to the Draft Notification dated 10.04.2026, wherein, the State Government has taken a decision to introduce certain amendment to the provisions under the Karnataka School Examination and Assessment Board Act, 1966, however, the said draft Notification was not placed before this Court at the time of disposal of the Writ Petition and accordingly, sought for interference of this Court to review the impugned order in the present Review Petition.



5. Per contra, Sri. R.V. Naik, learned counsel appearing for the respondent, argued that, in the event if the Grading System is introduced in so far as the SSLC examination is concerned, if candidates/students secure higher marks in the third language, then the interest of such candidates/students will be jeopardized, and therefore sought for dismissal of the Review Petition.

6. In the light of the submissions made by the learned counsel for the parties, on careful consideration of the petition papers would indicate that, the petitioners-State has issued the Revised Circular dated 28.10.2025 in so far as conducting SSLC Examination for the Academic Year 2025-2026. It is to be noted that, as on the date of issuance of such Notification/Revised Circular, no steps have been taken to introduce Grading System. It is the duty of the State Government to conduct the examination as per the prevailing Notification/Circular. It is also to be noted that the SSLC examination was conducted from 18.03.2026 to 02.04.2026, however, the Draft Rules (Annexure-B) was notified on 10.04.2026 after the completion of the SSLC examination for



the Academic Year 2025-2026, and therefore, I am of the opinion that, the arguments advanced by the learned Advocate General cannot be accepted on the face of it.

7. This Court, following the Judgment of the Division Bench of this Court in the case of **NAVEEN KUMAR N. AND OTHERS Vs. KPTCL AND OTHERS** reported in **2025 SCC OnLine KAR 1617**, has directed the review petitioners to conduct the valuation as per the prevailing Rules as on the date of the issuance of the Notification/Revised Circular dated 28.10.2025, for conducting the examination for the Academic Year 2025-2026. It is pertinent to mention here that, though learned Advocate General places reliance on the Order dated 10.04.2026 passed by the Division Bench of this Court in a public interest litigation, however, the aforesaid Order was not placed before this Court at the time of the disposal of the Writ Petition and on the other hand, Judgment of the Division Bench in **NAVEEN KUMAR N.**(supra) was not placed before the Division Bench in the public interest litigation.

8. Be that as it may be. The review petitioners-State is placing the Draft Rules dated 10.04.2026, which is yet to be born



and the regular Notification is yet to be passed by the petitioners-State based on the objection to be raised by the aggrieved parties, if any. In that view of the matter, for all practical purposes, there is no Rules as on today unless the said Draft Rules is promulgated in a manner known to law and therefore, I am of the view that, there is no error apparent on the face of the record. Further, in view of the Judgment of the Hon'ble Supreme Court in the case of **SHRI RAM SAHU (dead) through legal representatives and OTHERS Vs. VINOD KUMAR RAWAT AND OTHERS**, reported in **(2021)13 SCC 1**, I am of the view that, there is no error apparent on the face of the record in the impugned order passed by this Court on 15.04.2026 in W.P. No.11717/2026 and as such, I am not inclined to interfere in this Review Petition.

9. In so far as the arguments addressed by the learned Advocate General in so far as the second part of paragraph 8 of the impugned order is concerned, as the intended Draft Rules produced at Annexure-B is yet to be published by the competent authority, I am of the view that, it is always open for the petitioners-State to take decision in the matter in



accordance with law, in future which is in the domain of the petitioner-State, unless the same is challenged before this Court in the appropriate proceedings. In this regard, it is to be noted from the Judgment of the Hon'ble Supreme Court in the case of **COLLECTOR (DISTRICT MAGISTRATE) ALLAHABAD AND ANOTHER Vs. RAJA RAM JAISWAL** reported in **AIR 1985 SC 1622**, wherein it is held that, when a power is conferred to achieve a certain purpose, that power can be exercised only for achieving that purpose and not for any extraneous consideration and also not for irrelevant or colourable exercises of the matter. It is also to be noted that, as per the decision of the Hon'ble Supreme Court in the case of **H.B. GANDI, EXCISE AND TAXATION OFFICER-CUM-ASSESSING AUTHORITY, KARNAL AND OTHERS Vs. M/S. GOPI NATH & SONS AND OTHERS** reported in **1992 Supp (2) SCC 312**, wherein it is held that the judicial review to be exercised by this Court under Article 226 of the Constitution of India, is to interfere with the decision making process only and not the decision itself. In that view of the matter, the second part of the order passed by this Court at paragraph 8 should



not curtail the power of the State Government in taking decision in accordance with law, in future.

10. However, it is made clear that in so far as the examination and valuation for the Academic Year 2025-2026 is concerned, same has to be conducted as per the Revised Circular dated 28.10.2025, which was prevailing as on the date of conducting examination and for valuation. In that view of the matter, following the declaration of law made by the Division Bench of this Court, in the case of **NAVEEN KUMAR N.**(supra) referred to above in identical circumstances, the present Review Petition is accordingly disposed of.

SD/-
(E.S.INDIRESH)
JUDGE

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List No.: 2 Sl No.: 7