



CNR: KAHC010306132025

NC: 2026:KHC:36901
WP No. 15501 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 15501 OF 2025 (S-RES)

BETWEEN:

SHRI VIJAYA KUMAR JALIHAL
S/O NARASIMHACHARYA JALIHAL
AGED ABOUT 71 YEARS,
RETIRED SHIRASTHEDAR,
647, VIJAYA SAMPAD, 1ST FLOOR,
18TH MAIN, 22ND CROSS, JUDICIAL LAYOUT,
BANGALORE-560065.
SR. CITIZEN BENEFIT NOT CLAIMED

...PETITIONER

(BY SRI. VIJAYA KUMAR.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
LAW JUDICIARY AND HUMAN RIGHTS
DEPARTMENT,
VIKASA SOUDHA,
BENGALURU-560 001
REPRESENTED BY ITS SECRETARY,
2. THE DISTRICT TREASURE OFFICER,
RAICHUR,
RAICHUR DISTRICT – 571 101
3. THE ACCOUNTANT GENERAL (A AND E)
KARNATAKA PARK HOUSE
BENGALURU-560 001

...RESPONDENTS

(BY SRI. G RAMESH NAIK, AGA FOR R1 TO R3)

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 ISSUE A WRIT OF MANDAMUS ORDER OR DIRECTION DIRECTING THE 3RD RESPONDENT TO STOP RECOVERY OF THE COMMUTED VALUE OF PENSION BEYOND 12 YEARS OR IN THE ALTERNATIVE DIRECT THE RESPONDENT NO.3 TO RELEASE THE ADDITIONAL COMMUTED VALUE OF PENSION BY CALCULATING THE 1/3RD COMMUTED VALUE OF PENSION FOR A PERIOD OF 15 YEARS AND TO PAY THE ARREARS OF COMMUTED VALUE OF PENSION TOGETHER WITH INTEREST AT 12 PERCENT PER ANNUM FROM THE DATED ON WHICH THEY WERE GRANTED THE COMMUTED VALUE OF PENSION AND TO CONSIDER THE REPRESENTATION SUBMITTED BY THE PETITIONER DATED 01.01.2025 (VIDE ANNEXURE-E) IN ACCORDANCE WITH LAW, WITHIN A TIME FRAME SPECIFIED BY THIS HON'BLE COURT.

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

ORAL ORDER

The petitioner filed this writ petition seeking the following reliefs:

- "(i) *To issue a writ of mandamus order or direction directing the 3rd respondent to stop recovery of the commuted value of pension beyond 12 years, in the alternative direct the Respondent No 3 to release the additional commuted value of pension by calculating the 1/3rd commuted value of pension for a period of 15 years and to pay the arrears of commuted value of pension together with interest*



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at 12% per annum from the date on which they were granted the commuted value of pension; and

(ii) To consider the representation submitted by the Petitioner dated 1.1.2025 (vide Annexure-E), in accordance with law, within a time frame specified by this Hon'ble court.

(iii) To pass such other order as this Hon'ble Tribunal deems fit in the facts and circumstances of the case."

2. The petitioner had submitted a representation dated 01.01.2025 vide Annexure-E to respondent No.3. The said representation has still not been considered by the respondent, but proposed to recover the amount.

3. Learned AGA for the respondents submits that, if reasonable time is granted, respondent No.3 will consider the representation vide Annexure-E and pass appropriate orders in accordance with law.

4. In view of the submission made by learned AGA, I proceed to pass the following:



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ORDER

- i. The writ petition is ***allowed***;
- ii. Respondent No.3 is directed to consider the representation vide Annexure-E submitted by the petitioner and pass appropriate orders in accordance with law within a period of 6 weeks from the date of receipt of a copy of this order;
- iii. The respondents are directed not to recover the amount from the petitioner till the consideration of the representation;
- iv. Pending IA(s), if any, shall stand disposed of.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

PA
List No.: 1 Sl No.: 43