



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF JUNE, 2026

PRESENT

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

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

WRIT PETITION NO.15080 OF 2024 (S-KSAT)

BETWEEN:

SRI HARSHA HR S/O SRI HR RAMALINGAIAH,
AGED ABOUT 48 YEARS, WORKING AS EXECUTIVE
ENGINEER, DEPARTMENT OF PWD, MANDYA.
R/AT. HULIVANA VILLAGE, KERAGODU HOBLI,
MANDYA TALUK, MANDYA DISTRICT-571446.

...PETITIONER

(BY SRI. C.M.NAGABUSHANA, ADVOCATE)

AND:

THE STATE OF KARNATAKA, REP. BY ITS PRINCIPLE
SECRETARY, PUBLIC WORKS DEPARTMENT,
VIKASASOUDHA, BANGALORE-560001.

...RESPONDENT

(BY SRI. K.R.RAJENDRA, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 &
227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH/CALL FOR RECORDS PERTAINING TO THE IMPUGNED
OFFICE ORDER No. LeE 164 SeEVi 2024, DATED 26.03.2024
PASSED BY THE RESPONDENT No. (ANNEXURE-A10) AND SET
ASIDE THE SAID IMPUGNED ORDER AND DIRECT THE
RESPONDENTS TO CONTINUE THE PETITIONER AS EXECUTIVE
ENGINEER, DEPARTMENT OF PWD, MANDYA BY EXTENDING
ALL CONSEQUENTIAL BENEFITS ARISING THERETO 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 MR. JUSTICE RAJESH RAI K

ORAL ORDER

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

The petitioner is before this Court questioning the order dated 31.05.2024 in Application No.1559/2024, whereunder petitioner's prayer to quash the order of suspension dated 26.03.2024 (Annexure-A10) is rejected.

2. Heard Sri. C.M.Nagabushana, learned counsel for the petitioner and learned Additional Government Advocate Sri. K.R.Rajendra for the respondent. Perused the entire writ petition papers.

3. Learned counsel for the petitioner would submit that the order of suspension is dated 26.03.2024. Even after more than two years, the respondent-Authorities have not issued charge memo. Placing reliance on Rule-10(5)(b) of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 (for short 'Rules, 1957'), learned counsel would



submit that the suspension gets revoked and petitioner would be entitled for reinstatement. Further, learned counsel would point out that by virtue of interim order dated 19.07.2024, the petitioner is continued in service.

4. Learned Additional Government Advocate is not in a position to submit as to whether charge memo is issued or not. He submits that he has no instructions in that regard.

5. Rule-10(5)(b) of the Rules, 1957 reads as follows:

"(b) If departmental inquiry is not commenced against the delinquent Government Servant or charge-sheet is not filed in the court within a period of six months from suspension, the Competent Authority shall decide whether to revoke or continue suspension of such Government Servant and unless decided and ordered for continuation within this period, the suspension shall be deemed to have been revoked i.e. from the date of completion of a period of six months from the date of suspension. Upon such revocation of the order of his suspension, it shall be the duty of the Government servant to immediately seek order of posting from the Appointing Authority, failing which he shall be deemed to be on unauthorized absence with effect from the date of revocation of the order of his suspension.



Provided that the authority competent to place a Government servant under suspension may extend the period of suspension beyond the period specified in this clause, only after consulting, within the said period, with the authority referred in clause (a) only if such authority recommends extension within the said period. Otherwise, the order placing the Government servant under suspension shall stand revoked automatically under this clause."

6. Admittedly, in the instant case, order of suspension is dated 26.03.2024 and till this date i.e., for more than two years, disciplinary proceedings is not initiated by issuing charge memo. However, by virtue of interim order dated 19.07.2024, the petitioner is being continued as Assistant Executive Engineer.

7. In the light of the above Rule-10(5)(b) of the Rules, 1957, the respondent is required to issue formal order of revocation.

8. Respondent is directed to pass order of revocation of suspension in terms of Rule-10(5)(b) of Rules, 1957, within



**NC: 2026:KHC:31478-DB
WP No. 15080 of 2024**

four weeks from the date of receipt of copy of this order.

Accordingly, writ petition stands ***disposed off***.

In view of the above, pending I.As do not survive for consideration.

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

**Sd/-
(RAJESH RAI K)
JUDGE**