



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 7TH DAY OF MAY, 2026
PRESENT
THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM
AND
THE HON'BLE MR. JUSTICE RAJESH RAI K
WRIT PETITION NO. 14787 OF 2026 (S-KSAT)

BETWEEN:

SHRI. R. NAGASHAYANA
S/O LATE RAGHAVENDRA
AGED ABOUT 48 YEARS
WORKING AS DEPUTY COMMISSIONER
(EXCISE), MANDYA DISTRICT
(UNDER ORDERS OF SUSPENSION)
R/AT.NO.138, & 139 1ST MAIN
6TH CROSS, KC LAYOUT, MYSORE-570 011

...PETITIONER

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA

(BY SRI. VIJAYA KUMAR, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
FINANCE DEPARTMENT (EXCISE)
VIDHANA SOUDHA
BENGALURU-560 001



2. THE COMMISSIONER
DEPARTMENT OF EXCISE
NO.27, II FLOOR, TTMC
SHANTHINAGAR BUS TERMINAL
SHANTHI NAGAR
BENGALURU-560 027

3. SRI. B.R. HIEMATH
AGE MAJOR
FATHER NAME NOT KNOWN
WORKING AS DEPUTY COMMISSIONER
EXCISE DEPARTMENT
O/O THE COMMISSIONER OF EXCISE
SHANTHI NAGAR BUS TERMINAL
SHANTHI NAGAR,
BENGALURU-560 027

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA FOR R1-R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE HON'BLE TRIBUNALS ORDER DATED 30/04/2026 PASSED IN APPLICATION NO.2413/2026 (VIDE ANNEXURE-A) AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM
and
HON'BLE MR. JUSTICE RAJESH RAI K



ORAL ORDER

(PER: HON'BLE MR. JUSTICE RAJESH RAI K)

In this writ petition, the petitioner has challenged the interim order dated 30.04.2026 passed by the Karnataka State Administrative Tribunal, Bengaluru (for brevity, "**Tribunal**") in A.No.2413/2026, whereby the Tribunal declined to grant an interim stay on the operation, execution, and implementation of the order dated 18.04.2026 issued by respondent No.1, produced as Annexure-A5.

2. The briefly stated facts of the case are that:

The petitioner, who was working as the Deputy Commissioner of Excise, Mandya District, was placed under suspension by order dated 03.02.2026. Aggrieved by the said order, the petitioner challenged the same before the Tribunal, and the Tribunal stayed its operation by order dated 12.02.2026. Pursuant thereto, the petitioner was reinstated into service. Subsequently, the petitioner was transferred to Bengaluru as Commissioner of Excise in place of respondent No.3, and respondent No.3, in turn, was transferred to the petitioner's post. The said transfer order was challenged by the



petitioner before the Tribunal in Application No.2413/2026, wherein the petitioner sought an interim stay of the operation of the transfer order issued by respondent No.1, produced as Annexure-A5. However, the Tribunal rejected the prayer for interim relief by the impugned order. Aggrieved thereby, the petitioner has approached this Court.

3. We have heard Sri. Vijaya Kumar, learned counsel for the petitioner and Smt. B.P. Radha., learned Additional Government Advocate for respondent Nos.1 and 2 so also perused the documents placed before us.

4. On a careful perusal of the impugned order dated 30.04.2026 passed by the Tribunal, it is evident that the petitioner was placed under suspension by the order dated 03.02.2026 on allegations of demanding bribe. The said suspension order was subsequently stayed by the Tribunal. As such, it is the contention of the petitioner that, upon reinstatement, he ought to have been permitted to continue in the same post and at the same place, instead of being transferred to place of respondent No.3. The records disclose that a departmental enquiry has been initiated against the



petitioner and that the articles of charge have already been issued. In such circumstances, the petitioner cannot be permitted to continue in an executive post in view of the Statutory Policy Rules, 2025. This aspect of the matter requires deeper consideration by the Tribunal.

5. Hence, we find no error in the impugned order passed by the Tribunal in declining to grant an interim stay of the transfer order dated 18.04.2026, produced as Annexure-A5. Accordingly, the writ petition, being devoid of merit, stands ***dismissed***.

6. Having regard to the facts and circumstances of the case, we request the Tribunal to dispose of the application expeditiously, preferably within an outer limit of eight weeks.

7. The observations made in this petition shall not come in the way of the Tribunal while disposing the application.

SD/-
(SACHIN SHANKAR MAGADUM)
JUDGE

SD/-
(RAJESH RAI K)
JUDGE