



CNR: KAHC010391902026

NC: 2026:KHC:41861
WP No. 17801 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 17801 OF 2026 (S-RES)

BETWEEN:

MR. *N.V.ASHOK,
S/O. THE LATE N.S.VENKATA SWAMY,
AGED ABOUT 60 YEARS,
ASSOCIATE PROFESSOR (RETIRED),
CHRIST UNIVERSITY,
(DEEMED TO BE UNIVERSITY),
HOSUR ROAD, BENGALURU,
RESIDING AT NO.1090, 8TH CROSS,
22ND MAIN, SECTOR-1, H.S.R. LAYOUT,
BENGALURU-560 102.

...PETITIONER

(BY SRI. JANARDHANA G., ADVOCATE)

AND:

1. STATE OF KARNATAKA,
MINISTRY OF LAW AND
PARLIAMENTARY AFFAIRS,
REPRESENTED BY ITS SECRETARY,
VIDHANA SOUDA,
BENGALURU-560 001.
2. DIRECTOR OF COLLEGIATE EDUCATION,
GOVERNMENT OF KARNATAKA,
SESHADRI ROAD, BENGALURU-560 001.
3. THE JOINT DIRECTOR OF
COLLEGIATE EDUCATION,
KALIDASA ROAD,
BENGALURU-560009.

**Corrected vide chamber order
dated 13.08.2026.*

Digitally signed by
PREMCHANDRA M R
Location: HIGH
COURT OF
KARNATAKA



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4. THE PRINCIPAL,
CHRIST COLLEGE,
(NOW DEEMED TO BE
CHRIST UNIVERSITY),
DHARMARAM COLLEGE POST,
HOSUR ROAD,
BENGALURU-560 029.

...RESPONDENTS

(BY SRI. RAJAKUMAR M., AGA FOR R1 TO R3;
SMT. B.V.ANJALI, ADVOCATE FOR
SRI. SHARATH S.GOGI, ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY
HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS
UNDER:

ORAL ORDER

Sri.Janardhana G., counsel for the petitioner; Sri
Rajakumar M., Additional Government Advocate for respondent
Nos. 1 to 3; and Smt B.V. Anjali, counsel on behalf of Sri
Sharath S. Gogi, for respondent No. 4, appeared in person.

2. This petition is filed seeking following reliefs:

- i. Issue a writ of certiorari quashing the order
dated:13.04.2026 vide Annexure-C.



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ii. Grant the benefit of the judgment passed by this Court in Writ Petition No.21216/2014 along with connected matters dated:10.07.2015 vide Annexure-D to the petitioner also, under the Act-7/2014 have already been quashed as unconstitutional.

iii. Grant any other writ, order or direction as this Court deems fit to grant to the petitioner in the circumstances of the case.

3. Counsel for the respective parties presented several contentions.

The petitioner's counsel argues that the Co-ordinate Bench disposed of the writ petition in W.P.No.21216/2014 and related cases on 10.07.2015, issuing the following order:

(i) Writ petitions are hereby allowed.

(ii) The Karnataka Private Aided Educational Institutions Employees (Regulation of Pay, Pension and other Benefits) Act, 2014 (Karnataka Act No.07/2014) is hereby struck down as ultravires of the Constitution of India, as it is opposed to Article 14 of the Constitution of India and also encroaches



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upon the judicial powers of the Courts as discussed hereinabove.

(iii) Respondent - State shall continue to pay salary or pension, as the case may be, to petitioners and similarly placed persons as was being paid pursuant to its earlier orders or in other words, as it was being paid prior to the impugned enactment.

Or

Respondent - State shall comply with the directions already issued by this Court extending the monetary benefits and treating the petitioners working in Private Aided Educational Institutions on par with the employees working in Government Institutions.

(iv) In the event of the respondent State having recovered any amount/s pursuant to the impugned enactment, the same is hereby ordered to be refunded to the respective petitioner/s by the State expeditiously, at any rate within eight weeks from the date of receipt of a certified copy of this order.

(v) No order as to costs.



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It is also argued that the single judge's order was challenged in W.A. No. 2476/2015, where the Government filed a writ appeal along with related matters. The Division Bench, in its order dated 24.07.2026, dismissed the appeal, upholding the Single Judge's decision. Counsel therefore contends that the petitioner is similarly situated to the party in the petition and the appeal. As a result, the petitioner's request should be granted.

The respondents' counsel raised multiple arguments. AGA pointed to paragraph 16 of the division bench order, arguing that it modifies the single judge's order. Additionally, the counsel for the respondents argued that the petition lacks merit and should be dismissed.

4. Heard the argument and perused the papers with care.

5. The order passed by the single judge is furnished along with the writ petition, and the same is marked as Annexure-D. A perusal of the records reveals that the writ



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petition was disposed of, and the appeal was also dismissed on 24.07.2026.

The petitioner, being similarly situated, is granted the relief requested in the writ petition. Consequently, the order dated 13.04.2026 in Annexure C is quashed and annulled. The petitioner is also entitled to the same relief as granted in the writ appeal by the Division Bench.

6. Accordingly, the writ petition is ***allowed***.

Due to the disposal of the Writ Petition, any interim order granted stands discharged, and pending interlocutory applications, if any, are disposed of.

**Sd/-
(JYOTI M)
JUDGE**

SS
List No.: 1 Sl No.: 35