



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 17336 OF 2023 (S-RES)

BETWEEN:

1. SRI BASAVARAJU H B
AGED ABOUT 44 YEARS
S/O SRI BASAVEGOWDA H B
EXECUTIVE ENGINEER (ELE)
PIN 13588, BESCOM CORPORATE OFFICE
K R CIRCLE, BENGALURU - 560001
R/AT NO 6, SREELAKSHMI, 3RD STAGE
3RD BLOCK, BASAVESHWARANAGAR
BENGALURU - 560079.
2. SRI TEJASVI B.R
AGED ABOUT 40 YEARS
S/O SRI RAVINDRA B K
EXECUTIVE ENGINEER (ELE)/PIN-13563
TLSS DIVISION, KPTCL
SRS, KAVOOR, MANGALORE- 575015
R/AT NO 2-107/2 (1)
GANDHIJI ROAD, MARYHILL
MANGALORE - 575008.
3. SRI. SREERAMU V
AGED 45 YEARS
S/O SRI. VEERANAGAIH
EXECUTIVE ENGINEER (ELE)/PIN- 13584
WHITEFIELD C, O & M DIVISION
BESCOM BENGALURU - 560066
R/AT MITHILA NILAYA
OPP SHANKAR NAG PARK
NO.162, 12TH MAIN, B SECTOR

Digitally signed by
MALATHI
CHALUVA IYENGAR
Location: HIGH
COURT OF
KARNATAKA



YELHANKA NEW TOWN
BENGALURU - 560064.

4. SRI. CHIKKASIDDEGOWDA P
AGED 48 YEARS
S/O SRI. B.D. PAPAIAH
EXECUTIVE ENGINEER (ELE)/PIN- 13602
TAQC DIVISION, CORPORATE OFFICE
CESC, MYSURU - 570017
R/AT 707, 1ST CROSS
ASHRAMA ROAD, HINKAL
MYSORE - 570030.
5. SRI. R.V. GANESH
AGED ABOUT 41 YEARS
S/O SRI. B.R. VENKATESHAPPA/PIN- 13586
EXECUTIVE ENGINEER (ELE)
SOUTH CIRCLE OFFICE, BESCOM
3RD FLOOR ARAVINDA BHAVAN
NRUPATUNGA ROAD, BENGALURU - 560004.
R/AT NO. 115/1, 2ND FLOOR
6TH CROSS, KPA BLOCK, CHANDRA LAYOUT
VIJAYANAGARA, BENGALURU - 560040.
6. SRI. SHIVAKUMAR V
AGED ABOUT 41 YEARS
S/O SRI. VEERANAGAPPA V N
EXECUTIVE ENGINEER (ELE) /PIN- 13580
RAJAJINAGAR C, O AND M DIVISION, BESCOM
WEST OF CHORD ROAD, BANGALORE - 560010
R/AT 54, 11TH A MAIN ROAD
NEAR MARAMMA TEMPLE
VIRUPAKSHAPURA KODIGEHALLY
BENGALURU - 560097.
7. SRI. VEERENDRA H R
AGED ASBOUT 43 YEARS
S/O SRI. REVAPPA GOWDA H M
EXECUTIVE ENGINEER (ELE)/PIN -13582
O & M DIVISION
MESCOM, SHIVAMOGGA-577 201
R/AT NO. 38 OM, 4TH CROSS



NEAR KRISHNA MUTT, GOPALAGOWDA
A BLOCK, SHIMOGA -577 205.

8. SRI. KUMAR SWAMY S P
AGED ABOUT 39 YEARS
S/O SRI. PRAMESHWARAPPA K S
EXECUTIVE ENGINEER (ELE)/PIN 13629
MAJOR WORKS DIVISION, KPTCL
SHIVAMOGGA 577 201
R/AT NO. 45, B BLOCK
2ND CROSS, RATNAGIRI LAYOUT
SOWLANGA ROAD, ABBALAGER POST
SHIVAMOGGA-577 204
9. SMT. CHAITRA R
AGED ABOUT 39 YEARS
D/O SRI. M RANGASWAMY
EXECUTIVE ENGINEER (ELE.,)/PIN 13615
O/O SUPERINTENDING ENGINEER ELE
EAST CIRCLE, BESCOM NO. 232, 5TH MAIN
3RD CROSS, HRBR LAYOUT, 2ND BLOCK
BENGLAURU-560043.
R/AT NO. 102, SLV NARAYANA NILAYA
1ST CROSS, 5TH BLOCK SEETHAMMA LAYOUT
DODDABOMMASANDRA
VIDHYARANYAPURA (P)
BENGALURU-560097.
10. SRI. B S CHANDRASHEKAR
AGED ABOUT 40 YEARS
S/O SRI. SUBBEGOWDA B .D
EXECUTIVE ENGINEER (ELE.,)/PIN 13572
TAQC, CORPORATE OFFICE, CESC
MYSURU-570017
R/AT NO. 698, MIG, ADITI NILAYA
33RD CROSS, 2ND MAIN KHB
CHANNARAYAPATNA EXTENSION
HASSAN-573 201.
11. SMT CHITRALATHA
AGED ABOUT 42 YEARS



W/O ARUNKUMAR H
EXECUTIVE ENGINEER (ELE)/PIN 13599
O/O PCKL, KAVERI BHAVAN
BENGALURU 560009
R/AT NO 429, 8TH MAIN ITI LAYOUT
MALLATHAHALLI, NAGARABHAVI
2ND STAGE, BENGALURU-560056.

12. SRI M RAGHU
AGED ABOUT 42 YEARS
S/O SRI L MANOHAR
EXECUTIVE ENGINEER (ELE)/PIN 13564
PMU SECTION, 1ST FLOOR, BLOCK 1
BESCOM CORPORATE OFFICE
BENGALURU-560001
R/AT NO 107, 3RD MAIN, 13TH CROSS
MYTRIA LAYOUT, SUN CITY MAIN ROAD
KENGARI SATELLITE TOWN
BENGALURU-560060.
13. SRI SHIVAKUMAR N
AGED ABOUT 44 YEARS
S/O NARAYANAPPA H
EXECUTIVE ENGINEER (ELE)/PIN 13566
KANAKAPURA C, O & M DIVISION
BESCOM, SANGAM ROAD
KANAKAPURA 562117
R/AT NO 70, NEAR MARAMMA TEMPLE
FORT KENGARI, BENGALURU-560060.
14. SRI YOGESH K
AGED ABOUT 44 YEARS
S/O LATE SRI KRISHNAIAH
EXECUTIVE ENGINEER (ELE)/PIN 13601
SHIVAJINAGARA C, O & M DIVISION
BESCOM, NO 8 APARANJI
NANDIDURGA ROAD, BENGALURU-560046
R/AT NO 10/3, GROUND FLOOR, 1ST MAIN
10TH CROSS, CHAMARAJPET
BENGALURU-560018.



15. SRI SRIKANTH T
AGED ABOUT 39 YEARS
S/O LATE SRI T THIMMEGOWDA
EXECUTIVE ENGINEER (ELE)/PIN 13610
JALAHALLI, C O AND M DIVISION
BESCOM, NO 2, MVR PARADISE
DEFENSE LAYOUT, VIDHAYARANYAPURA
BENGALURU-560097
R/AT NO 129/4, 6TH CROSS
BASAPPA LAYOUT, PATTANAGERE
RR NAGAR, BANGALORE-560098.
16. SRI PRAKASH M
AGED ABOUT 42 YEARS
EXECUTIVE ENGINEER (ELE)/PIN-13570
KARNATAKA SOLAR POWER
DEVELOPMENT CORPORATION LTD.,
NO 6/13/1, KREDL OFFICE BUILDING
10TH BLOCK, 2ND STAGE, NAGARABHAVI
BENGALURU-560072.
R/AT NO. 001, SLV NARANAYA NILAYA
1ST CROSS, 5TH BLOCK
SEETHAMMA LAYOUT
DODDABOMMASANDRA
VIDHYARANYAPURA (P)
BENGALURU-560097
17. SRI K V RAJESH
AGED 40 YEARS
S/O K RAMAMURHTY
EXECUTIVE ENGINEER (ELE)/PIN 13783
KORAMANGALA C O & M DIVISION
BESCOM, 7TH MAIN, 3RD BLOCK
KORAMANGALA, BENGALURU-560034
R/AT 558, 9TH B MAIN, B SECTOR
YELHANKA NEW TOWN
BENGALURU-560064.
18. SRI JAYAPRASAD J
AGED ABOUT 45 YEARS
S/O LATE SRI T R JAYAKUMAR SARMA



EXECUTIVE ENGINEER (ELE)/PIN NO 13681
VIGILENCE, CORPORATE OFFICE
MESCOM BHAVAN, BEJAI -KAVOOR CROSS ROAD
MANGALORE-575004
R/AT JAYARATHNA, 2-98/17, GURUNAGAR
MARYHILL, KONCHADY POST
MANGALORE-575008.

19. SRI. INDUDHARA R
AGED ABOUT 41 YEARS
S/O SRI. G.V. RUDRANNA
EXECUTIVE ENGINEER(ELE.,)/PIN. 13764
O AND M DIVISION, MESCOM
SHIKARIPURA, SHIVAMOGGA-577427
R/AT NO. 163, SURYA LAYOUT
ARVIND NAGAR, SHIVAMOGGA – 577201.
20. SRI. DEEPAK C.R
AGED ABOUT 39 YEARS
S/O SRI RAJU
EXECUTIVE ENGINEER (ELE.,)/ PIN 13695
(APR), MESCOM CORPORATE OFFICE
BEJAI- KAVOOR CROSS ROAD
MANGALORE - 575004
R/AT NO. 2-34/51, DURGA PARAMESHWARI
NAGAKANIKKA TEMPLE ROAD
DEREBAIL, KONCHADY, MANGALORE -575006.
21. SRI. YASHAVANTHA
AGED ABOUT 38 YEARS
S/O SRI. SHANKAR BALEGAR
EXECUTIVE ENGINEER(ELE.,)/PIN. 13821
HVCN, CORPORATE OFFICE, MESCOM BHAVAN
BEJAI- KAVOOR CROSS ROAD
MANGALORE - 575004
R/AT KATTABELTHOOR POST & VILLAGE
KUNDAPURA TALUK, UDUPI- 576230.

...PETITIONERS

(BY SRI. YESHU BABA R MISHRA.,ADVOCATE)



AND:

1. THE KARNATAKA POWER TRANSMISSION
CORPORATION LIMITED
CORPORATE OFFICE KAVERI BHAVAN
K G ROAD, BENGALURU - 560009
REP. BY ITS MANAGING DIRECTOR.
2. THE DIRECTOR
ADMINISTRATION AND HUMAN RESOURCES
KARNATAKA POWER TRANSMISSION
CORPORATION LIMITED
CORPORATE OFFICE
KAVERI BAHVAN, K G ROAD
BANGALORE - 560009

...RESPONDENTS

(BY SRI. SHIRISH KRISHNA., ADVOCATE FOR R1 & R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI AND QUASH THE ENDORSEMENT DATED: 21.3.2017 BEARING NO.KPTCL/B63/42816/2016-17 AT ANNEXURE-A AND ISSUE A WRIT OF CERTIORARI AND QUASH THE ENDORSEMENT DTD 21.3.2017 BEARING NO.KPTCL/B63/42816/2016-17 AT ANNEXURE-A1 AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

This writ petition is filed under Articles 226 & 227 of the Constitution of India, seeking the following reliefs:



"(i) Issue a writ of certiorari and quash the endorsement dated 21.03.2017 bearing No.KPTCL/B63/ 42816/2016-17 at Annexure-A.

(ii) Issue a writ of certiorari and quash the endorsement dated 21.03.2017 bearing No.KPTCL/B63/ 42816/2016-17 at Annexure-A1.

(iii) Issue a writ of certiorari and quash the endorsement dated 27.08.2021 bearing No.KPTCL/B100/ 3750/2019-20/256 at Annexure-A2.

(iv) Issue a writ of mandamus and direct the respondents to issue seniority list in accordance with official memorandum dated 05.07.1976 at Annexure-C1 and in accordance with notification dated 15.01.1998 at Annexure-F."

2. The petitioners were appointed as Assistant Executive Engineers (Electrical) in KPTCL on 21.07.2006 and 02.02.2007, respectively. In the present writ petition, they have called into question the endorsements issued by the second respondent dated 21.03.2017 and 27.08.2021 (Annexures A, A1, and A2), whereby their request regarding the issuance of the seniority list was addressed.



3. The endorsements dated 21.03.2017 have been challenged by filing the present writ petition in the year 2023, after a lapse of six years.

4. The learned counsel for the respondents raised a preliminary objection that, on the ground of delay alone, the writ petition is liable to be dismissed. In support of his contention, he relied on the judgment of this Court in W.A.No.414/2023 and connected matters disposed of on 20.08.2025.

5. On the other hand, the learned counsel for the petitioners contended that, although the endorsement was issued on 21.03.2017, they did not approach this Court immediately in view of the pendency of the case in **B.K. PAVITRA (II) & OTHERS V. UNION OF INDIA & OTHERS** reported in **(2019) 16 SCC 129** before the Apex Court.

6. This Court, in W.A.No.414/2023, after following the judgment of the Apex Court in



CHAIRMAN/MANAGING DIRECTOR, UTTARPRADESH POWER CORPORATION LIMITED & OTHERS V. RAM GOPAL reported in **(2021) 13 SCC 225**, has held that it is a settled proposition in service law that seniority, once settled, cannot be disturbed after an inordinate delay, even if the grounds for challenging the seniority are otherwise justified. The relevant paragraphs are extracted below:

"15. It is submitted that further orders were issued by the Karnataka Electricity Board on 16.08.1996 and 27.12.1996, which are produced as Annexures C and D in the Writ Petition. Pursuant to the directions issued by this Court, the representations preferred by the writ petitioners were considered and an endorsement was issued on 05.03.2020 which was under challenge in Writ Petition No.12567/2020. It was specifically referred in the endorsement that the facility of seniority or weightage which was extended as per the prevailing orders of 1986, 1996 and the Official Memoranda issued from time to time in the individual cases were reflected in the seniority list issued during 2000, 2002, 2004, 2006, 2011 and



2014. The writ petitioners were aware of their position but none of the petitioners or other engineers objected to the seniority of the engineers appointed by transfer during this period. It was specifically stated that it was on the basis of the Board orders issued in 1996 that the seniority had been settled. It was further stated that as per the common seniority list published from time to time, large number of promotions were made from the cadre of AE to AEE, AEE to EE, EE to SEE and SEE to CEE, over several years in respect of both direct recruits AE's and AE's appointed by transfer. Therefore, on the ground that the unsettling of settled seniority would lead to an unwarranted alteration of seniority and promotion in respect of a large number of serving and retired officers, the representation was rejected.

16. It is the specific case of the KPTCL, the Government and the appellants that Seniority Lists of Graduate Engineers had been issued in 2000, 2002, 2004 and 2006. The contention that the said seniority lists were not brought to the notice of the Writ Petitioners cannot be accepted since the KPTCL in their pleadings specifically averred that the seniority lists had been published in the websites and had been given wide publicity as required by the Rules. Even if it is accepted that the specific



details of the seniority of the employees was not made available in the seniority lists in question, it is to be noted that the Writ Petitioners were overlooked in the matter of promotions by the contesting respondents who are the appellants herein for further promotions to the posts of Assistant Executive Engineer, Executive Engineer, Superintending Engineer so on and so forth. To state that the petitioners were unaware of the fact that Assistant Engineers appointed by transfer were granted seniority and promotions over them cannot be accepted. The Apex Court has specifically stated that in the absence of any challenge to settled seniority and promotions within a reasonable time, the promotee or the person included in the seniority list at a higher ranking as the case may be is entitled to sit back and consider that his seniority or promotion stand settled and will not be called into question after inordinately long delays.

*17. Though this aspect of the matter was specifically raised before the learned Single Judge, the learned Single Judge went on to hold that the directions of the Apex Court in **K. Narayanan's** case (supra) and by the High Court in **Gurushripad's** case (supra), have been violated by the KPTCL.*



18. Having considered the contentions advanced and the materials on record in these cases, we find that there is considerable force in the arguments raised by the learned senior counsel appearing for the appellants. The appellants were persons who had been appointed as Assistant Engineers by transfer under the 1986 Rules. Though it is true that the Apex Court in **K. Narayanan's** case (*supra*), and in **Gurushripad's** case (*supra*), had held that the retrospective operation given to the 1986 amendment was bad in law, and that fresh gradation lists have to be prepared, it appears that by that time the appellants had already been promoted to the post of Assistant Engineers. The revision of seniority in the post of Assistant Engineers and thereafter did not occur in terms of the directions of the Apex Court. The Writ Petitioners did not approach any judicial forum or seek the revision of the seniority in the higher posts in accordance with the principle laid down by the Apex Court as well. They had therefore permitted the incorrect seniority in the promoted posts to become settled. After a long delay of more than 17 years, they raised contentions with regard to seniority in all the posts from Assistant Engineers onwards. Some of the Writ Petitioners had not even submitted objections to the seniority list published in 2017 and 2019. It



was without considering any of these contentions that the learned Single Judge had directed the reworking of the seniority in the cadre of Assistant Engineers on the basis of the decisions of the Apex Court. The consequence of the direction would be the unsettling of seniority that had remained settled for more than 20 years.

19. The Apex Court in **Shiba Shankar Mohapatra's** case (supra), has considered the earlier decisions on the point especially in **K.R. Mudgal's** case (supra), where it was laid down that a seniority list remaining in existence for 3 to 4 years unchallenged should not be disturbed. Further in paragraphs No.30 and 33 held as follows:-

"30. Thus, in view of the above, the settled legal proposition that emerges is that once the seniority had been fixed and it remains in existence for a reasonable period, any challenge to the same should not be entertained. In K.R. Mudgal, this Court has laid down, in crystal clear words that a seniority list which remains in existence for 3 to 4 years unchallenged, should not be disturbed. Thus, 3-4 years is a reasonable period for challenging the seniority and in case someone agitates the issue of seniority beyond this period, he has to explain the delay and laches in approaching the adjudicatory forum, by furnishing satisfactory explanation.



33. *The appellants have specifically pleaded that a seniority list was issued in 1979. Subsequently, another seniority list was issued in 1992. A tentative seniority list was circulated in 1996, and after considering the objections by the State authorities, a final seniority list was issued in June 1997. Again the seniority list was circulated in 1999. Though there had been dispute regarding issuance of the said seniority lists, however, the High Court in its judgment has taken note of the seniority list of 1979. Circulation of gradation list in June 1997 cannot be disputed/doubted for the simple reason that in Parsuram Sahu case only this gradation list was under challenge. The applicants in OA No.203 of 2001 claimed to have been appointed in 1993. Their names should have definitely been included in the final gradation list circulated in June 1997. However, there is no explanation by them as to how it could not be challenged before the Tribunal and under what circumstances the gradation list issued in 1999 was challenged in 2001. At the cost of repetition, it is stated that, if the seniority list is to be challenged within 3-4 years of its issuance, we fail to understand as to why even OA No.203 of 2001 could not be dismissed on the ground of delay and laches, without entering into the merits of the case."*

20. *In K. Thangappan's case (supra), it was held that delay or laches is a significant factor when exercising discretionary writ power. If the claimant has neglected to assert rights in time, especially where that delay causes prejudice to the opposite party, Courts may justifiably decline to intervene,*



even if a fundamental right is involved. The Court held that granting relief after such a long lapse would be unjust and detrimental to public interest and administrative stability.

21. In *Chairman and Managing Director Power Corporation Limited's* case (*supra*), the Apex Court held in paragraph No.11 as follows:-

*"11. Whilst it is true that limitation does not strictly apply to proceedings under Articles 32 or 226 of the Constitution, nevertheless, such rights cannot be enforced after an unreasonable lapse of time. Consideration of unexplained delays and inordinate laches would always be relevant in writ actions, and the writ courts naturally ought to be reluctant in exercising their discretionary jurisdiction to protect those who have slept over wrongs and allowed illegalities to fester. Fence-sitters cannot be allowed to barge into courts and cry for their rights at their convenience, and vigilant citizens ought not to be treated alike with mere opportunists. On multiple occasions, it has been restated that there are implicit limitations of time within which writ remedies can be enforced. In *S.S.Balu v. State of Kerala*, this Court observed thus:*

"17. It is also well-settled principle of law that "delay defeats equity". ... It is now a trite law that where the writ petitioner approaches the High Court after a long delay, reliefs prayed for may be denied to them on the ground of delay and laches irrespective of the fact that they are



similarly situated to the other candidates who obtain the benefit of the judgment.”

22. We notice that it is a settled proposition in Service Law that seniority which stands settled cannot be disturbed after an inordinate delay even if the grounds for challenge of the seniority are justified. In the decisions relied on by the learned counsel for the appellants, the question of long and inordinate delay in raising a challenge to settled seniority lists did not arise or those were cases where the delay was a year or two, at the most. However, in the instant case, it is the specific case of the appellants that they had been granted the benefit of seniority and had also been granted promotions on the basis of the settled seniority. It is after more than two decades that the challenge was raised against not only the seniority but the subsequent successive promotions granted to the appellants.”

7. Insofar as prayers (a) & (b), and (c) are concerned, the challenge to the endorsements dated 21.03.2017 has been made after a lapse of six years. There is no satisfactory explanation for the delay. In an identical matter concerning the very same Corporation, a



Division Bench of this Court, in the above-referred case, dismissed the writ appeals on the ground of delay.

8. In view of the above, the present writ petition is liable to be dismissed and is accordingly dismissed.

9. However, prayer (d) seeks issuance of a writ of mandamus directing the respondents to issue the seniority list in accordance with the Official Memorandum dated 05.07.1976 (Annexure-C1) and notification dated 15.01.1998 at Annexure-F.

10. Insofar as the relief of mandamus is concerned, the respondents are directed to issue the seniority list in respect of Assistant Executive Engineers as expeditiously as possible, and in any event, not later than three months from the date of receipt of a copy of this order.

It is made clear that while issuing the seniority list, if any candidates have already been promoted and if their seniority is affected, such seniority shall not be altered



NC: 2026:KHC:10511
WP No. 17336 of 2023

retrospectively. Any revision shall operate only
prospectively.

Sd/-
(H.T. NARENDRA PRASAD)
JUDGE

CM
LIST NO.: 1 SL NO.: 0