



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH 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. 19646 OF 2024 (S-KSAT)

BETWEEN:

SHRI S PUTTASIDDAIAH
S/O LATE SIDDAIAH
AGED ABOUT 72 YEARS,
(RTD) SENIOR DEPUTY DIRECTOR,
GOVERNMENT TEXT BOOK PRESS,
R/AT H.NO. 25, I MAIN,
16TH CROSS,
MJS LAYOUT,
KENGARI UPANAGAR,
BENGALURU - 560 060.

...PETITIONER

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA

(BY SRI. DEEPAK K BAJANTRI, ADVOCATE FOR
SRI. VIJAYAKUMAR, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP BY ITS PRINCIPAL SECRETARY,
SCHOOL EDUCATION & LITERACY DEPARTMENT,
M.S BUILDING,
BENGALURU - 560 001.
2. THE DIRECTOR
DEPARTMENT OF PRINTING,



STATIONER AND PUBLICATIONS,
R.V COLLEGE,
MYSORE ROAD,
BENGALURU - 560 059.

3. THE ACCOUNTANT GENERAL (A & E)
KARNATAKA,
PARK HOUSE,
BENGALURU - 560 001.

...RESPONDENTS

(BY SRI. K.R. RAJENDRA, AGA FOR THE R1-R3)

THIS WP IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER
DATED 28/03/2024 PASSED BY THE HON'BLE TRIBUNAL IN
APPLICATION NO.2440/2023 (VIDE ANNEXURE-A) AND ALLOW
THE APPLICATION AS PRAYED FOR.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING
IN 'B' GROUP, 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 RAJESH RAI K)

This writ petition is directed against the order dated 28.03.2024 passed in Application No.2440/2023 by the Karnataka State Administrative Tribunal, Bengaluru (for brevity, 'the Tribunal'), whereby the Tribunal dismissed the application filed by the petitioner by confirming the penalty order imposed on the petitioner by respondent No.1.

2. The brief facts which necessary for disposal of this writ petition is that the petitioner was appointed on 26.02.1976 and was working as a Senior Deputy Director in the year 2005 and he was retired from service on attaining the age of superannuation on 31.08.2010. While he was working as Incharge Joint Director, Government Sub-urban Press, a charge memo issued on 19.01.2007 against him on the allegation that he has not noticed the shortage of sum of Rs.1,71,890/- in the accounts book and thereby committed the misconduct. Thereafter, the enquiry officer conducted an enquiry and submitted the report holding that the charges levelled against the petitioner has proved. Accordingly, show cause notice was issued to the petitioner along with the enquiry report and



though he submitted his explanation, the disciplinary authority has proceeded to impose the penalty upon the petitioner to recover sum of Rs.2,000/- per month from the pension payable to the petitioner for a period of two years. Against the said order, the petitioner approached the Tribunal in Application No.3592/2019 and the Tribunal, on assessment of the oral and documentary evidence passed the following order:

"(i) So far as challenge to the Enquiry Officer's report is concerned, there is no merit in the application and to that extent, the Application is dismissed.

(ii) The Application is allowed in part only to the extent of impugned order of penalty is concerned. Hence, the impugned order bearing No.ಇಡಿ 76 ಇಎಸ್‌ಡಬ್ಲ್ಯು 2017 dated 18.06.2018 passed by the 1st respondent and produced vide Annexure-A9, is hereby set aside and the matter is remitted back to the Disciplinary Authority to consider the contention of the applicant which he has taken in his reply to the 2nd show cause notice which has been produced vide Annexure-A8 and after considering such contentions, the Disciplinary Authority has to pass the fresh order on merits and in accordance with law, within a period of four



months from the date of receipt of a copy of this order."

3. By virtue of the aforementioned order dated 06.07.2022 passed by the Tribunal, a fresh enquiry has been initiated. Thereafter, a fresh order dated 23.03.2023 has been passed by the Disciplinary Authority by imposing the penalty to recover Rs.2,000/- per month from his pension for a period of two years. The said order once again has been challenged by the petitioner before the Tribunal in Application No.2440/2023.

4. The Tribunal on reassessment of oral and documentary evidence, passed the impugned order by rejecting the application filed by the petitioner by affirming the order passed by the Disciplinary Authority. Challenge to the same is *lis* before this Court.

5. We have heard the learned counsel for the petitioner and learned Additional Government Advocate for the respondents.

6. Apart from urging several contentions, learned counsel for the petitioner primarily contended that the petitioner is nowhere connected to the misuse of money to the



extent of Rs.3,76,412/- and being the head of the office, he was regularly used to check the account details. Despite, the amount was allegedly misused for which petitioner cannot be held vicariously liable. As such, the charges against the petitioner are not proved satisfactorily with the cogent evidence.

7. He also contended that the petitioner has submitted his reply in detail for the charges leveled against him, the same was not properly considered by the Disciplinary Authority and passed a cyclostyled order as that of earlier order dated 18.06.2018 by confirming the penalty imposed on him. These aspects of the matter are not properly appreciated by the Tribunal. Hence, he prays to allow the petition.

8. *Per contra*, learned Additional Government Advocate by supporting the impugned order submitted that the Disciplinary Authority has taken a lenient view and imposed with minimum punishment, despite serious charges proved against the petitioner. According to him, the petitioner is responsible for the misuse of an amount to the tune of Rs.3,76,412/- as he was the head of the department, he is duty



bound to look after the accounts maintained periodically. The negligence and dereliction in his duty, resulted in loss of a huge amount of Rs.3,76,412/- to the State.

9. In such circumstances, the Disciplinary Authority has rightly imposed the penalty and the Tribunal has rightly affirmed the said penalty order dated 23.03.2023. In such circumstances, he prays to dismiss the petition.

10. We have given our anxious consideration both on the submission made by the learned counsel for the respective parties and perused the materials placed before this Court.

11. As could be gathered from records, it is not in dispute that the petitioner was working as Incharge Joint Director, Government Sub-urban Press, at that relevant point of time i.e., 2005, there was a shortage of sum of Rs.1,17,890/- in the account books.

12. A show cause notice was issued to the petitioner and he replied the same, the same was not satisfactorily explained by the petitioner, as such, enquiry has been



conducted. In the enquiry, the enquiry officer has framed as many as 13 charges.

13. In the enquiry, before the enquiry officer three witnesses have been examined as PWs.1 to 3 and on a meticulous examination of the evidence of those three witnesses, the enquiry officer has found that out of 13 charges, 11 charges have been proved against the petitioner. Apart from that, in the earlier round of litigation, the Tribunal has given a sufficient opportunity to the petitioner to file his statement of objection. According to the enquiry officer, in the said statement of objection, the petitioner failed to explain properly about the charges levelled against him.

14. We have examined all the evidence and other documents placed before us including the enquiry report, the order of the discipline authority and the impugned order passed by the Tribunal. On meticulous examination, the charges levelled against the petitioner are serious in nature, since he being the head of the department, he is duty bound to examine and maintain the books of account properly. Admittedly, there is a shortage of fund of Rs.1,17,890/- for the relevant period.



For the same the petitioner has to come up with proper explanation, the same lacks in this case. The misappropriation of public funds in the Government office is a matter of serious concern, since the public trust has been involved in the Government missionary.

15. In such circumstances, as rightly contended by the learned Additional Government Advocate, the Disciplinary Authority has taken a lenient view by imposing minimum penalty Rs.2,000/- per month, deducting the same in his pension for a period of two years. The said order cannot be interfered. Moreover, the Tribunal dealt the said aspects in detail. Hence, we find no good reasons to interfere in the order passed by the Tribunal. Accordingly, the writ petition lacks merits, is ***dismissed***.

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

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