



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2026

PRESENT

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

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

WRIT PETITION NO. 19449 OF 2026 (S-KSAT)

BETWEEN:

SRI. SHANKAR JYOTHI
SON OF SHIVABASAPPA JYOTHI,
AGED ABOUT 65 YEARS,
RETIRED DEPUTY DRUGS CONTROLLER,
RESIDING AT NO. 287, 7TH CROSS,
6TH BLOCK, NAGARABHAVI II STAGE,
BENGALURU – 560 072.

...PETITIONER

(BY SRI. M. MADHUSUDAN.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY TO
GOVERNMENT HEALTH AND FAMILY WELFARE
DEPARTMENT, VIKASA SOUDHA,
BENGALURU – 560 001.
2. THE COMMISSIONER OF FOODS AND DRUGS
ADMINISTRATION,
PALACE ROAD,
BENGALURU – 560 001.
3. THE DRUGS CONTROLLER,
FOODS AND DRUGS ADMINISTRATION,
PALACE ROAD,
BENGALURU – 560 001.

...RESPONDENTS

(BY SRI.SHIVAREDDY, AGA)

Digitally signed by
NANJUNDACHARI
Location: High
Court of
Karnataka



THIS WP IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI BY QUASHING THE REJECTING THE INTERIM PRAYER DATED 15/06/2026 IN APPLICATION NO.2423/2026 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, BENGALURU BENCH (VIDE ANNEXURE-B) 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)

Heard learned counsel Sri.M.Madhusudan for petitioner and learned Additional Government Advocate Sri.V.Shivareddy for respondents. Perused the entire writ petition papers.

2. Learned counsel for the petitioner would submit that the petitioner is before this Court aggrieved by non-grant of interim prayer by the Karnataka State Administrative Tribunal at Bengaluru (for short, 'the Tribunal') Tribunal under order dated 15.06.2026 in



Application No.2423/2026, wherein the petitioner has sought stay of proceedings in pursuance to articles of charge dated 12.11.2024 (Annexure-A4).

3. Learned counsel for the petitioner contends that the petitioner retired from service on attaining the age of superannuation 31.07.2021 and articles of charge is received on 12.11.2024 relating to an incident i.e., submission of report on 16.03.2019 recommending commencement of course in Siddivinayaka Educational and Charitable Trust, Bhalki, Bidar. Learned counsel would submit that on the face of it, the articles of charge is barred by limitation under Rule 214(2)(b)(ii) of KCSRs. Further, learned counsel would submit that the Enquiry Officer is appointed and the notice of enquiry has already been issued by the Enquiry Officer. In the such circumstances, learned counsel would submit that participating in the enquiry in a time barred enquiry would be futile. Therefore, he prays for stay of the articles of charge.



4. On the other hand, learned Additional Government Advocate would submit that the petitioner is before this Court questioning non-grant of interim prayer and he submits that if the petitioner participates in the enquiry, no prejudice would be caused to the petitioner. However, learned Additional Government Advocate would submit that enquiry could be made subject to outcome of the proceedings pending before the Tribunal. Thus, he prays for dismissal of the writ petition.

5. Having heard the learned counsel appearing for the parties and on perusal of the entire writ petition papers, we are of the considered view that petitioner has made out *prima facie* case for grant of interim prayer in the Application before the Tribunal. It is not in dispute that the petitioner retired from service on attaining the age of superannuation on 31.07.2021 and articles of charge was issued on 12.11.2024 in respect of an event alleged to have been taken place in the year 2019. Admittedly, Rule



214 of KCSRs prescribes four years limitation for initiation of enquiry in respect of retired person. Enquiry against a retired Government servant could be initiated only in respect of an event which has taken place within 4 years from the date of initiation of enquiry i.e., charge memo. In that view of the matter, the petitioner would be entitled for interim prayer as sought. However, the Tribunal shall not be influenced by the above observation while deciding the main matter and it shall decide the main matter independently. Hence, the following:

ORDER

- a) Writ petition is allowed.
- b) Order dated 15.06.2026 in Application No.2423/2026 passed by the Tribunal is set side.
- c) Consequently, further proceedings in pursuance to articles of charge bearing No.ಆಕುಕ 145 ಐಎಂಎಂ 2024 dated



12.11.2024 (Annexure-A4) is stayed
during pendency of the Application before
the Tribunal.

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

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

NC
CT:RK
List No.: 1 Sl No.: 17