



CNR: KAHC010454152024

NC: 2026:KHC:37231-DB
WP No. 21801 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF JULY, 2026

PRESENT

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

AND

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

WRIT PETITION NO.21801 OF 2024 (S-KSAT)

BETWEEN:

SRI. SHIVAPUTRA BASAPPA MANGASULI,
S/O. BASAPPA MANGASULI,
AGED ABOUT 38 YEARS,
WORKING AS EXCISE HEAD CONSTABLE,
OFFICE OF THE INSPECTOR OF EXCISE
SUBRAMANYANAGARA,
RANGE - 06, BUD - 1, NO.62, 3RD MAIN,
1ST CROSS, YESHWANTHPUR,
INDUSTRIAL SUBURB, BANGALORE - 560 055.
R/AT #24, 4TH MAIN ROAD,
GANGANAGAR, BANGALORE - 560 032.

...PETITIONER

(BY SRI. VARDHAN SHENOY.K. ADV. & MS. APOORVA
BASAVARADDER, ADV. FOR SRI. PRITHVEESH.M.K.,
ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF FINANCE (EXCISE),
VIDHANA SOUDHA, BENGALURU - 560001.

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by G
SHREERAKSHA
Location: HIGH
COURT OF
KARNATAKA



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2. THE COMMISSIONER OF EXCISE,
2ND FLOOR, TTMC BLOCK,
BMTC BUILDING, SHANTINAGAR,
BENGALURU - 560027.
3. THE JOINT COMMISSIONER
DEPARTMENT OF EXCISE,
BELAGAVI DIVISION,
BELAGAVI DISTRICT - 590002.
4. THE DEPUTY COMMISSIONER,
DEPARTMENT OF EXCISE,
BELAGAVI NORTH DISTRICT (CHIKODI)
BELAGAVI DISTRICT - 590 002.
5. SRI. RAMESH BADIGER
WORKING AS EXCISE HEAD CONSTABLE,
OFFICE OF THE INSPECTOR OF EXCISE,
ATHANI RANGE, ATHANI,
BELAGAVI DISTRICT - 591 304.

...RESPONDENTS

(BY SRI. V. SHIVAREDDY, AGA FOR R1 TO R4;
V/O DTD 13.11.2025, NOTICE TO R5 STANDS DEFERRED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR RECORDS AND SET ASIDE THE IMPUGNED FINAL ORDER DATED 14.06.2024 PASSED BY THE HONBLE KSAT PRINCIPAL BENCH AT BENGALURU IN A.No-656/2024 (ANNEXURE-A) AND CONSEQUENTLY ALLOW THE SAID A.No-656/2024 AS PRAYED FOR BY THE PETITIONER BEFORE THE HONBLE TRIBUNAL (ANNEXURE-B) TO MEET THE ENDS OF JUSTICE AND ETC.

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



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CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
and
HON'BLE DR. JUSTICE K.MANMADHA RAO

ORAL ORDER

(PER: HON'BLE MR. JUSTICE S.G.PANDIT)

The petitioner is before this Court aggrieved by order dated 14.06.2024 in Application No.656/2024 passed by the Karnataka State Administrative Tribunal, Bengaluru (for short 'KSAT'), whereunder the petitioner's challenge to the order of transfer dated 05.02.2024, transferring him from Athani Range, Belagavi District to Range-6, Subramanyanagara, Bengaluru, is rejected.

2. Heard learned counsel Sri. Vardhan Shenoy.K and learned counsel Ms. Apoorva Basavaradder for Sri. Prithveesh.M.K., learned counsel for the petitioner and Sri. V.Shivareddy, learned Additional Government Advocate for respondent Nos.1 to 4.

3. It is stated that the petitioner was initially appointed as Excise Constable on 28.09.2015 and was working at Athani Range, Athani, Belagavi District. Subsequently, he



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was promoted as Head Constable on 03.02.2024 and initially posted to Athani Range, Belagavi District. However, the said order was modified on 05.02.2024 and the petitioner was posted to Bengaluru from Athani. Questioning the said order, the petitioner was before the Tribunal. The Tribunal under impugned order dated 14.06.2024 rejected petitioner's challenge, posting him to the Bengaluru on his promotion. Questioning the said order, the petitioner is before this Court.

4. It is also brought to the notice of this Court that subsequently by Official Memorandum dated 17.12.2025, the petitioner is again deputed to the Office of the Inspector of Excise, Athani Range, Belagavi District. In view of the deputation, at present, the petitioner is working at Athani.

5. Learned counsel for the petitioner would submit that on promotion as Excise Head Constable, the petitioner reported to duty on 03.02.2024 and after he reporting to the duty, by Official Memorandum dated 05.02.2024, the respondent No.2 could not have modified the earlier order and could not have transferred him to Bengaluru. Learned counsel



would further contend that when once he reported to duty on 03.02.2024, again modifying and transferring him subsequently on 05.02.2024 would amount to pre-mature transfer. Thus, prays to allow the writ petition.

6. Learned Additional Government Advocate would support the order passed by the Tribunal and would submit that the petitioner was working as Excise Head Constable on independent charge prior to 05.02.2024 and he was given regular promotion under Official Memorandum dated 03.02.2024 and in the order of promotion, all the Head Constables were shown posting at the same Office, where they were working earlier. Subsequently, under impugned Official Memorandum dated 05.02.2024, separate postings were given on their regular promotion. Therefore, he prays for dismissal of the writ petition.

7. Having heard the learned counsel for the parties and on perusal of the entire writ petition papers, we are not inclined to interfere with the order passed by the Tribunal.



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8. Admittedly, the petitioner was working as Excise Constable prior to his regular promotion by Official Memorandum dated 03.02.2024. As submitted by the learned AGA, the petitioner and others on their regular promotion were shown posting in the same Office. However the Official Memorandum dated 05.02.2024 (Annexure-A2) indicates that in pursuance to the Official Memorandum dated 03.02.2024, the petitioner was permitted to report to duty as Excise Head Constable in the afternoon on 05.02.2024. By the time the petitioner reported to duty on 05.02.2024, the impugned Official Memorandum dated 05.02.2024 (Annexure-A5) was issued. Therefore, there is no merit in the contention of the petitioner that prior to issuance of Official Memorandum dated 05.02.2024, he had reported to duty as Head Constable at Athani. Moreover, on promotion, it is for the Appointing Authority to provide posting wherever services of such promoted employees are necessary. In the instant case, subsequent to the impugned order passed by the Tribunal, the Commissioner under Official Memorandum dated 17.12.2025



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deputed the petitioner to work at Office of the Excise Inspector,
Athani Range, Belagavi District.

9. In view of the above circumstances, we do not find
any merit in the writ petition and accordingly the same stands
rejected.

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

**SD/-
(DR.K.MANMADHA RAO)
JUDGE**

SMJ
List No.: 1 Sl No.: 22