



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF FEBRUARY, 2026

BEFORE

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

WRIT PETITION NO. 20064 OF 2022 (S-RES)

BETWEEN:

SHRI C.N YOGEEESHWAR
S/O SRI C M NANJAPPA
AGED ABOUT 58 YEARS
LECTURER IN KANNADA
A V KANTHAMMA WOMEN PU COLLEGE
HASSAN,KARNATAKA-573201.

...PETITIONER

(BY SRI.VIKRAM A HUILGOL, SENIOR COUNSEL FOR
SRI THYAGARAJA S, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY
PRIMARY AND SECONDARY EDUCATION
M S BUILDING VIDHANA VEEDHI
BENGALURU-560001.
2. THE DIRECTOR
PRE UNIVERSITY BOARD IN KARNATAKA
18TH CROSS MALLESWARAM
BENGALURU-560012.

...RESPONDENTS

(BY SMT. ANITHA N, AGA FOR R1 & R2)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED
GOVT. ORDER BEARING NO.ED86 TPU 2006 (DIVISION-2)
BENGALURU DATED:14.6.2022 VIDE ANNEXURE-N AS THE SAME IS
ILLEGAL, ARBITRARY AND UNSUSTAINABLE AND ETC.

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



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 Article 226 of the Constitution of India, challenging the order dated 14.06.2022, vide Annexure-N, issued by the first respondent, whereby the request of the petitioner for absorption of his service under the Karnataka Educational Institutions (Absorption of Persons Working as Part-time Lecturers in the Aided Private Educational Institutions) (Special) Rules, 2010 (for short, "2010 Rules") has been rejected.

2. The case of the petitioner is that he was appointed as a part-time Lecturer in Kannada at A.V. Kanthamma Mahila Maha Vidyalaya, Hassan, on 31.08.1991. Subsequently, the college was bifurcated into a Pre-University College and a Degree College with effect from 09.05.2001. The State Government issued a notification known as the Karnataka Educational Institutions



(Absorption of Persons Working as Part-time Lecturers in the Aided Private Educational Institutions) (Special) Rules, 2010. As per the said Rules, persons who have worked as part-time lecturers for not less than two academic years, namely 1993-94 and 1994-95, in aided private educational institutions are entitled to be absorbed.

3. Pursuant to the bifurcation, the Regional Deputy Director, Collegiate Education, Mysore passed an order assigning approval to the petitioner's service to the PU College with effect from 31.08.1991. It is clearly mentioned therein that the petitioner had joined service on 31.08.1991. As per the 2010 Rules, the petitioner has satisfied the condition of having worked as a part-time lecturer during the academic years 1993-94 and 1994-95. However, the first respondent issued the impugned order, vide Annexure-N, on the ground that the petitioner was not working as a part-time lecturer during the academic years 1993-94 and 1994-95. This reasoning in the impugned order is contrary to the materials available on



record, particularly Annexure-C. The impugned order has been passed without proper application of mind and is not a speaking order. On this ground alone, the impugned order is liable to be set aside.

4. Accordingly the following order:

- (i) The writ petition is allowed.
- (ii) The impugned order dated 14.06.2022 passed by the first respondent vide Annexure- N is set aside.
- (iii) The first respondent is directed to reconsider the case of the petitioner, keeping in view of Annexures C, E and K, as expeditiously as possible, not later than eight weeks from date of receipt of a certified copy of this order.

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