



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF JANUARY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT APPEAL NO. 1426 OF 2025 (GM-CC)

BETWEEN:

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF DPAR
GOVERNMENT OF KARNATAKA
ROOM NO.245, 2ND FLOOR
VIDHANA SOUDHA
BENGALURU - 560 001
2. THE APPELLATE AUTHORITY - COMMISSIONER
BACKWARD CLASSES WELFARE DEPARTMENT
MILLER TANKBED AREA
VASANTHA NAGARA
BENGALURU - 560 052
3. THE DEPUTY COMMISSIONER AND
THE CHAIRMAN
DISTRICT CASTE AND INCOME
VERIFICATION COMMITTEE
HASSAN, HASSAN DISTRICT - 573 201
4. THE TALUK CASTE AND INCOME
VERIFICATION COMMITTEE
CHANNARAYAPATNA
HASSAN DISTRICT - 573 201
REPRESENTED BY ITS
MEMBER SECREARY

Digitally
signed by
AMBIKA H B

Location:
High Court
of Karnataka



5. THE DISTRICT OFFICER BACKWARD CLASSES
AND MINORITES DISTRICT CASTE
AND INCOME VERIFICATION COMMITTEE
MEMBER SECRETARY
HASSAN, HASSAN DISTRICT - 573 201
6. THE DEPUTY SECRETARY
ZILLA PANCHAYATH AND
MEMBER DISTRICT CASTE AND
INCOME VERIFICATION COMMITTEE
HASSAN, HASSAN DISTRICT - 573 201
7. THE DIRECTOR
DIRECTORATE OF PROSECUTION AND
PUBLIC LITIGATION DEPARTMENT
6TH FLOOR, KAVERI BHAVAN
BENGALURU - 560 009

...APPELLANTS

(BY SRI N. DEVADAS, ADDITIONAL ADVOCATE GENERAL A/W
SMT. NAMITA MAHESH, AGA)

AND:

1. SMT. MUTHULAXMI B.N.
AGED ABOUT 42 YEARS
D/O. B.K. NAGRAJ
W/O. SHANKARESH. N
SHIVADHAMA NO.297
CHENNIGARAYA EXTENSION
CHANNARAYAPATAN - 573 116

...RESPONDENT

(BY SMT. MUTHULAXMI B.N., RESPONDENT
- PRESENT-IN-PERSON)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
ORDER DATED 08.07.2025 IN W.P. No.10897/2024 (GM-CC) PASSED
BY THE HON'BLE SINGLE JUDGE, AND DISMISS THE
W.P.No.10897/2024 (GM-CC) & ETC.

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING,
THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:



CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL JUDGMENT

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The State Government of Karnataka has filed the present appeal impugning an order dated 08.07.2025, passed in Writ Petition No.10897 of 2024 (GM-CC).
2. The respondent had filed the said writ petition impugning an order dated 06.03.2024, whereby the District Caste and Income Verification Committee [**Committee**] rejected her application for a Sindutva certificate on the ground that her husband's income exceeded the threshold limit under the creamy layer policy. It was the respondent's case that the income of her husband cannot be considered for the purpose of granting Sindutva certificate and only the income of her parents is required to be considered.
3. The learned Single Judge passed the interim order, under which the Sindutva certificate was granted on the basis of the respondent's parents' income.
4. The learned Single Judge faulted the Committee for withholding the Sindutva certificate on the aforesaid grounds. The



learned Single Judge referred to his earlier decision in **Akshata Chougala and others vs. State of Karnataka: 2023 SCC OnLine Kar 168**, which involved a similar issue. The learned Single Judge had after referring to the decision of the Supreme Court in **Sunita Singh vs. State of Uttar Pradesh: (2018) 2 SCC 493** accepted the contention that only the income of the parents was required to be considered for determining whether the candidate belonged to the creamy layer. The learned Single Judge held that since the past precedent had been ignored by the Committee, the members of the Committee ought to be mulked with exemplary costs quantified at ₹2,00,000/-.

5. The operative part of the impugned order reads as under:

"(i) Writ Petition is disposed, with exemplary cost of ₹2,00,000/- to be paid to the petitioner by the Chairman and Members of the District Caste and Income Verification Committee, from out of their own funds and not from the funds of the State.

(ii) The cost shall be paid to the petitioner within four weeks from the date of receipt of the copy of this order.

(iii) The petitioner also become entitled to all consequential benefits, except the salary and other monetary benefits."

6. The learned Additional Advocate General appearing for the State submits that there is no dispute that only the parents' income



should be considered, as that view is also upheld by a Division Bench of this Court. He submits that the present appeal is confined to the operative part of the impugned order whereby costs have been imposed on the members of the Committee. It is also pointed out that the learned Single Judge erred in directing payment of costs on account of the Committee's failure to follow the earlier decision in the case of **Akshata Chougala** (*supra*). He submitted that appeals had been filed against the said order, which were partly allowed in terms of the decision of the Division Bench of this Court in **Narendra Babu G.V and others vs. State of Karnataka and others and connected matters: 2023 SCC OnLine KAR 101**. He also referred to the recent Supreme Court decision in **Leelavathi N and others vs. State of Karnataka and others: 2025 SCC OnLine SC 2253**. On the strength of the said decision, he submitted that the writ petition in service matters should not have been entertained.

7. The question of whether the parents' or the husband's income must be taken into account in determining whether the candidate belongs to the creamy layer has been contentious.



8. In the given circumstances, we do not consider that imposition of exemplary costs was warranted.

9. In view of the above, the appeal is allowed to the limited extent of imposing costs. The cost imposed is set aside. Since the certificate has been issued to the respondent, her grievance does not survive. As noted at the outset, the appellant does not contest the same.

10. In view of the above, it is not necessary for us to consider this question or pass any orders in this regard.

11. The appeal is disposed of in the above terms.

12. The pending interlocutory application also stands disposed of.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C.M. POONACHA)
JUDGE**