



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 25710 OF 2017 (S-DE)

BETWEEN:

SRI M.R. RAVIKUMAR
S/O. T. RAMACHANDRAIAH,
AGED ABOUT 32 YEARS,
MADDENAHALLIPALYA,
HEGGUNDA POST,
NELAMANGALA TALUK,
BENGALURU RURAL DISTRICT-562111.

...PETITIONER

(BY SRI. S. NAGARAJA, ADVOCATE)

AND:

1. UNION OF INDIA
REPRESENTED OFF BY ITS SECRETARY,
MINISTRY OF HOME AFFAIRS,
M.H.A. NORTH BLOCK,
NEW DELHI-110001.
2. THE ADDITIONAL DIRECTOR GENERAL
CENTRAL RESERVE POLICE FORCE,
SOUTH ZONE, ROAD NO.10C,
NEAR MLA/MP COLONY,
JUBILEE HILLS, HYDERABAD-500033
TELANGANA STATE.
3. THE INSPECTOR GENERAL OF POLICE
SOUTHERN SECTOR,
CENTRAL RESERVE POLICE FORCE,
ROAD NO.10C, NEAR MLA/MP COLONY,
JUBILEE HILLS,

Digitally
signed by
KIRAN
KUMAR R
Location:
HIGH COURT
OF
KARNATAKA



HYDERABAD-500033
TELANGANA STATE.

4. THE DEPUTY INSPECTOR GENERAL OF POLICE
GROUP CENTER,
CENTRAL RESERVE POLICE FORCE,
YELAHANKA, BENGALURU-560064.
5. THE COMMANDANT
CENTRAL RESERVE POLICE FORCE,
110 BATTALION,
NIZAMABAD,
TELANGANA STATE.

...RESPONDENTS

(BY SRI. JAGADISH G. KUMBAR, CGC FOR R1 TO R5)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER OF DISMISSAL DATED 6.11.2006 ORDER DATED 15.10.2015 AND ORDER DATED 21.7.2016 PASSED BY THE R-4, 3 AND 2 RESPECTIVELY VIDE ANNEXURE-E, H AND M TO THE WRIT PETITION AND CONSEQUENTLY DIRECT TO RESPONDENTS TO REINSTATE THE PETITIONER BACK INTO THE POST OF CONSTABLE WITH ALL OTHER BENEFITS.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI



ORAL ORDER

The petitioner has filed this writ petition seeking the following reliefs:

- "1. *Issue a writ of certiorari quashing the impugned order of dismissal bearing No.P.VIII. 1/2006-EC.III(II) dated 6.11.2006, order bearing No.R.XIII-35/2015-Adm-7, dated 15.10.2015 and order bearing No. R.XIII-12/2015-SZ-Legal, dated 21.07.2016 passed by the Respondents No.4, 3 and 2 respectively vide Annexure E, H and M to the Writ Petition and consequently direct to Respondents to reinstate the Petitioner back into the post of Constable with all other benefits.*
2. *Pass any other appropriate order, orders or directions as this Hon'ble court may deem fit to pass under the facts and circumstances of the case, in the interest of justice and equity."*

2. Brief facts leading rise to the filing of this petition are as follows:

3. The petitioner was selected and appointed as a Constable by respondent No.4 and posted to work under respondent No.5. The petitioner remained absent



unauthorisedly. Respondent No.5 has passed an order dated 24.08.2005 treating the petitioner as a deserter from service. Memorandum of charges was framed by respondent No.4 against the petitioner on 12.01.2006. The petitioner did not reply to the charge memo. Respondent No.4 has conducted an enquiry and the Enquiry Officer has submitted a report stating that the charges levelled against the petitioner are proved. A show-cause notice was issued to the petitioner along with enquiry report. Despite show-cause notice, the petitioner did not reply to the show-cause notice. Respondent No.4 passed an order dismissing the petitioner from service. The petitioner, aggrieved by the order of dismissal, preferred an appeal. The Appellate Authority rejected the appeal. The petitioner filed a revision petition before respondent No.3. Respondent No.3 rejected the claim of the petitioner. Hence, this petition.

4. Heard the arguments of learned counsel for the petitioner and learned CGC for the respondents.



5. Learned counsel for the petitioner submits that, the enquiry conducted against the petitioner is an *ex-parte* enquiry. No opportunity of being heard was provided to the petitioner. The impugned order of dismissal is in violation of principles of natural justice. Hence, on this ground, he prays to allow the writ petition.

6. *Per contra*, learned CGC for the respondents supports the impugned order of dismissal and hence, prays to dismiss the writ petition.

7. Perused the records and considered the submissions of the learned counsel for the parties.

8. Admittedly, the petitioner was appointed as a Constable in 2003. Within a span of 2.5 years, he remained unauthorisedly absent. The act of the petitioner in remaining absent unauthorisedly is an act of misconduct under Section 11(1) of the Central Reserve Police Force Act, 1949. Although a charge memo was issued, the petitioner did not reply to the charge memo and an



enquiry was conducted against the petitioner. As the petitioner did not participate in the enquiry and the Enquiry Officer had submitted a report holding that the charges levelled against the petitioner as proved, the appointing authority had passed an order of punishment dismissing the petitioner from service. The said order was passed on 06.11.2006, wherein the appeal came to be filed after a lapse of 8.5 years from the date of passing the order of punishment. The Appellate Authority rejected the appeal on the ground of delay and laches. The petitioner filed a revision petition. The Revisional Authority, after considering the entire material on record, held that the appointing authority had rightly dismissed the petitioner from service as he had remained unauthorisedly absent, and the Appellate Authority has rightly dismissed the appeal on the ground of delay and laches.

9. As the Appellate Authority and the Revisional Authority have concurrently recorded their finding of fact against the petitioner, I do not find any grounds to



entertain this writ petition. Accordingly, I proceed to pass the following:

ORDER

- i. The writ petition is ***dismissed***;
- ii. Pending IA(s), if any, shall stand disposed of.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

PA
List No.: 1 Sl No.: 1