



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 26446 OF 2024 (S-RES)

BETWEEN:

SMT. DIVYA R
W/O BHARAT KUMAR M G
AGED ABOUT 37 YEARS,
RESIDING AT U-33, 6TH CROSS,
R.G.I COLONY, SRIRAMPURAM
BENGALURU-560 021.

...PETITIONER

(BY SRI. P.S. RAJGOPAL, SENIOR ADVOCATE FOR
SRI. JAYANTH DEV KUMAR, ADVOCATE)

AND:

1. KARNATAKA STATE FINANCIAL CORPORATION
A STATUTORY CORPORATION,
KSFC BHAVAN, NO.1/1
THIMMAIAH ROAD,
BENGALURU-560 052
REPRESENTED BY ITS MANAGING DIRECTOR.

2. SAMATA SAMBRANI
D/O KARVEER SAMBARANI
DOOR NO.111, BASAVANAGAR-1
FIRST CROSS, HARIYAL ROAD
DHARWAD-580003.

...RESPONDENTS

(BY SRI. P.S. MALIPATIL, ADVOCATE FOR R1;
SRI. MANU VENKATA REDDY V., ADVOCATE FOR
SRI. VIJAYA SIMHA REDDY D.V., ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH TENTATIVE
SELECTION LIST BEARING NO.KSFC/HO/P-522/2024-25 DATED

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



13.09.2024 (UNDER ANNEXURE-K) ISSUED BY THE R-1, AND GRANT ALL OTHER CONSEQUENTIAL RELIEFS AND ETC.

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:

- "(a) *Issue a writ in the nature of Certiorari, or such other writ, as this Hon'ble Court deems fit, and quash tentative selection list bearing No. KSFC/HO/P-522/2024-25 dated 13.09.2024 (under Annexure-K) issued by the respondent No.1, and grant all other consequential reliefs.*
- (b) *Issue a writ in the nature of mandamus or such other writ, as this Hon'ble Court deems fit, directing the respondent No.1 to consider the objections dated 18.09.2024 (Annexure-L2) and select the petitioner for the post of Deputy Manager (Finance & Accounts) under the category of SC-Woman in Residual Cadre Region and grant all other consequential reliefs.*
- (c) *Issue such other appropriate writ, order or direction as this Hon'ble Court deems fit to grant in the*



interest of justice and equity, including the award of costs of this writ petition.”

2. Brief facts leading rise to the filing of this petitiona re as follows:

2.1. Respondent No.1 – Karnataka State Finance Corporation published a recruitment notification inviting applications for recruitment to various posts in the Corporation, including 10 posts of Deputy Manager (Finance and Accounts), with 1 post for scheduled caste – woman under the Karnataka State Financial Corporation Cadre Recruitment and Promotion Regulations, 2022 (**‘Regulations’** for short), to which the petitioner applied. On publication of the marks secured by the candidates who participated in the interview, on 13.09.2024, it came to light that the marks awarded for viva voce was out of 100, contrary to the Regulations which prescribe only 12.5%. Based on these marks, a tentative selection list was published, including the name of respondent No.2, excluding the name of the petitioner, inviting objections to



the tentative selection list. Without prejudice to the rights of the petitioner, the petitioner has submitted her objections on 17.09.2024 through e-mail to the tentative selection list stating that viva voce marks could not have been awarded for 100 marks contrary to the Regulations and even if scaled down proportionately to 12.5, the petitioner could secure 46.825 and respondent No.2 could only secure 46.25, thereby, the petitioner is more meritorious for selection. The petitioner, aggrieved by the tentative selection list dated 13.09.2024 published by respondent No.1-Corporation for the post of Deputy Manager (Finance and Accounts) in the Residual Cadre Region under category SC-woman, ignoring the petitioner who is more meritorious than respondent No.2. The selection of respondent No.2 is contrary to the Regulations. The petitioner, aggrieved by the impugned selection list, filed this writ petition.

3. Respondent No.1-Corporation filed a statement of objections admitting that respondent No.1-Corporation



has issued an employment recruitment notifications dated 13.02.2023 and 14.06.2023 inviting applications from the eligible candidates to fill up the vacant posts of Deputy Manager in various departments. Karnataka Examination Authority ('**KEA**' for short) conducted the written test for the eligible candidates on 17.02.2024 and forwarded the score list to respondent No.1-Corporation. It is contended that, the Interview Committee members were asked to award marks for a maximum of 20 marks individually based on the performance of the candidate in the interview. The aggregate of the marks awarded by all the five members of the Interview Committee is the total marks scored in the interview by the candidate for 100 marks. Since the weightage given to interview marks is only 12.5%, 12.5% of the marks obtained are added for calculating the final score of a candidate who appeared for the interview. It is contended that, the criteria for selection prescribed in the recruitment notification is 75% of weightage to the written test marks, 12.5% of weightage to the viva voce marks and 12.5% of weightage



to the percentage of marks scored in the qualifying examination. The total marks scored by all the candidates who appeared for the viva voce were published for the information of all the concerned. It is contented that, respondent No.2, who had appeared for the post of Deputy Manager (Finance and Accounts), whose name was shortlisted for the post of Deputy Manager (Finance and Accounts) SC-Women, has submitted an objection with regard to the non-consideration of combined CGPA as printed on her final MBA marks card. The objection was examined and the same was sustained for the reason that overall CGPA of 8.42 as indicated in her fourth semester marks card of MBA was not considered. Later on, respondent No.1-Corporation issued a clarification vide letter dated 03.10.2024 accepting the request of respondent No.2 and accordingly, respondent No.2's qualifying examination percentage arrived at 79.99%. The action of the respondent in issuing a tentative selection list is in accordance with law. Hence, prays to dismiss the writ petition.



4. Respondent No.2 filed a statement of objections denying the averments made in the memorandum of writ petition and contended that, respondent No.2 has applied for the post of Deputy Manager (Finance and Accounts) and she has scored more marks than the petitioner. Respondent No.1-Corporation has rightly issued the tentative selection list in accordance with law. Hence, prays to dismiss this writ petition.

5. Heard the arguments of Sri. P.S.Rajagopal, learned Senior Counsel for the petitioner, learned counsel for respondent No.1-Corporation and learned counsel for respondent No.2.

6. Learned Senior Counsel for the petitioner submits that, the recruitment was made under Section 48 of the State Financial Corporations Act, 1951 (**'Act'** for short) . He submits that, the weightage to be given for interview as per Regulation 13 of the Regulations is 12.50% of the qualifying exam marks and 75% of the written test marks and 12.5% of the interview viva-voce



marks. He submits that, the petitioner has scored 77.59 marks in the qualifying exam weightage for qualifying exam marks is 12.5% of 77.59, which comes to 9.7%; 75% of 49 written exam marks conducted by KEA comes to 36.75%; 12.5% of 24 viva voce marks comes to 3%. He submits that, respondent No.2 has scored 9.66% in qualifying exam marks, 36% in written exam marks conducted by KEA and 4.75% in viva voce. From comparing the marks scored by the petitioner as well as respondent No.2, the petitioner has scored higher marks than respondent No.2. He further submits that, the Interview Committee meeting was held for the selection of Deputy Manager (Finance and Accounts) on 19.08.2024, 20.08.2024 and 21.08.2024. He submits that, the Interview Committee held that respondent No.2 is not suitable for selection as per Annexure-R4. He submits that, the name of respondent No.2 is not reflecting in Annexure-R4. He submits that, respondent No.1-Corporation has manipulated the higher marks in favour of respondent No.2 and on the basis of manipulated higher



marks, respondent No.1-Corporation has issued the tentative selection list. He further submits that, the marks which have been considered by respondent No.1-Corporation is contrary to the recruitment notification vide Annexure-E. He further submits that, the action of respondent No.1-Corporation in issuing the tentative selection list is contrary to the records and Regulations. He prays to set aside Annexure-K and a direction be issued to respondent No.1-Corporation to redo the selection process in respect of the Deputy Manager (Finance and Accounts), and consider the objections to the tentative selection list dated 13.09.2024 vide Annexures-L1 and L2. He further submits that, the selection process be conducted only for the petitioner and respondent No.2. Hence, on these grounds, he prays to allow the writ petition.

7. *Per contra*, learned counsel for respondent No.1-Corporation submits that, the tentative selection list issued by respondent No.1-Corporation is in accordance with law. He submits that, respondent No.2 has got



higher marks than the petitioner and respondent No.1-Corporation, considering the qualifying examination marks of respondent No.2, has included the name of respondent No.2 in the tentative selection list and the action of respondent No.1-Corporation in including the name of respondent No.2 in the tentative selection list is in accordance with law. Hence, on these grounds, he prays to dismiss the writ petition.

8. Learned counsel for respondent No.2 adopts the arguments of the learned counsel for respondent No.1-Corporation. He submits that, respondent No.2 has scored more marks than the petitioner and the name of respondent No.2 is rightly included in the tentative selection list. Hence, on these grounds, he prays to dismiss the writ petition.

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

10. It is an undisputed fact that, the respondent has issued a recruitment notification dated 14.06.2023



inviting applications for the post of Deputy Manager in various departments in respondent No.1-Corporation. Pursuant to the said notification, the petitioner and respondent No.2 have submitted their applications. After scrutinising the application, respondent No.1-Corporation invited the petitioner and respondent No.2 for the examination and also for the interview.

11. From the perusal of the marks scored by the candidates and weightage assigned as per the notification dated 14.06.2023, the petitioner has scored 49.45 marks, as follows:

<i>Sl No</i>	<i>KEA No</i>	<i>Name of the Candidate</i>	<i>Qualifying exam marks % age</i>	<i>12.5% of Qualifying Exam Marks</i>	<i>Written Exam Marks by KEA</i>	<i>75% of Written Exam Marks</i>	<i>Viva Voce Marks for 100</i>	<i>12.5% of Viva Voce Marks</i>	<i>Total Marks Scored (5+7+9)</i>
9	99000067	Divya R	77.59	9.70	49	36.75	24	3.00	49.45
20	99000066	Samata Sambrani	77.30	9.66	48	36.00	38	4.75	50.41

Respondent No.1-Corporation has produced Annexure-R4 the proceedings of the Interview Committee meeting for the selection to the post of Deputy Manager (Finance and



Accounts) held on 19.08.2024, 20.08.2024 and 21.08.2024, wherein the Interview Committee interacted with each individual candidate to assess their suitability for the post of Deputy Manager (Finance and Accounts). Based on their performance, such a member of the committee awarded independently to each candidate out of maximum 20 marks totaling to 100 marks, which would then to be converted to 12.5% in the final selection process, as provided in the Regulations. From the perusal of Annexure-R4, it clearly discloses that the Interview Committee was of the opinion that respondent No.2 is not suitable for the post of Deputy Manager (Finance and Accounts), and the name of respondent No.2 was not reflecting in Annexure-R4. Respondent No.1-Corporation issued a tentative selection list vide Annexure-K, wherein the name of respondent No.2 has been shown in the list. Respondent No.1-Corporation, without considering the proceedings of the Interview Committee held on 21.08.2024 wherein a finding was recorded that respondent No.2 is not suitable for the post of Deputy



Manager (Finance and Accounts), has issued the tentative selection list. Further, from the perusal of the records, it clearly discloses that respondent No.1-Corporation has not conducted the proceedings in terms of the Act and Rules provided thereunder.

12. Further, there is a dispute in regard to the awarding of marks in regard to 12.5%. When a specific question was posed to the learned counsel for respondent No.1-Corporation as to how the name of respondent No.2 was shown in the list when the name of respondent No.2 was not considered by the Interview Committee, the learned counsel for respondent No.1-Corporation was unable to point out how the name of respondent No.2 was shown in the tentative selection list. He submits that, if a direction is issued to respondent No.1-Corporation, respondent No.1-Corporation will redo the selection process by conducting viva voce test only for the petitioner and respondent No.2.



13. In view of the above discussion and in view of the submission made by learned counsel for respondent No.1-Corporation, I proceed to pass the following:

ORDER

- i. The writ petition is ***allowed***;
- ii. Annexure-K, only insofar as respondent No.2 is concerned, is set aside;
- iii. Respondent No.1-Corporation is directed to redo the viva voce test for the petitioner and respondent No.2 in accordance with the Regulations and the said exercise shall be completed within one month from the date of receipt of a certified copy of this order;
- iv. Pending IA(s), if any, shall stand disposed of.

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

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