

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF SEPTEMBER, 2026

PRESENT

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

AND

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO. 27854 OF 2026 (S-KSAT)

BETWEEN:

SRI. K C DORESWAMY
S/O LATE. M. CHIKKAMADEGOWDA,
AGED ABOUT 51 YEARS,
WORKING AS ADDITIONAL DIRECTOR,
DEPARTMENT OF AGRICULTURAL
MARKETING, CURRENTLY UNDER
ORDER OF TRANSFER
FROM SECRETARY,
AGRICULTURAL PRODUCE
MARKET COMMITTEE,
MAHATMA GANDHI COMPLEX
YESHWANTHPUR
BENGALURU- 560 022.

R/AT NO.665, 2ND MAIN ROAD,
5TH CROSS, NEAR WATER TANK,
UPKAR LAYOUT, ULLAL,
BENGALURU -560 091.

Digitally signed by
NANJUNDACHARI
Location: High
Court of
Karnataka

(BY SRI. P.S. RAJAGOPAL, SR. COUNSEL FOR
MISS. ASHWINI RAJAGOPAL, ADV.)

...PETITIONER

AND:

1. STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF CO-OPERATION
M.S. BUILDING,
BENGALURU -560 001.

2. DIRECTOR OF AGRICULTURAL
MARKETING
DEPARTMENT OF
AGRICULTURAL MARKETING
NO.16, 1ST FLOOR,
2ND RAJ BHAVAN ROAD
BENGALURU-560001.
3. AGRICULTURAL PRODUCE
MARKET COMMITTEE
REP. BY ITS SECRETARY
MAHATMA GANDHI COMPLEX
YESHWANTHPUR
BENGALURU-560 022.
4. RAMESH V
ADDITIONAL DIRECTOR
DEPARTMENT OF AGRICULTURAL
MARKETING
ADDITIONAL DIRECTOR
DIVISIONAL OFFICE AND
ENFORCEMENT CELL
MYSORE DIVISION
MYSORE-570004.

...RESPONDENTS

(BY SRI. B.S. SUDHINDRA, HCGP
SRI UDAY HOLLA, SR. COUNSEL FOR
SRI GOPALKRISHNA KURANDWAD, ADV. FOR R4)

THIS PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR THE ENTIRE RECORDS PERTAINING TO APPLICATION NO.3774-3775 OF 2026, BEFORE THE HON'BLE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL AND 1. QUASH ORDER DATE 21.08.2026 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, BENGALURU IN APPLICATION NO.3774-3776 OF 2026, (UNDER ANNEXURE A), IN SO FAR AS IT REJECT THE INTERIM PRAYER SOUGHT BY THE PETITIONER, AND GRANT ALL CONSEQUENTIAL RELIEFS AND ETC.

THIS PETITION HAVING BEEN HEARD AND RESERVED FOR ORDER ON **11.09.2026** COMING ON THIS DAY, **S.G.PANDIT J.,** PRONOUNCED THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
AND
HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

CAV JUDGMENT

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

The petitioner is before this Court, aggrieved by the order dated 21.08.2026 in Applications No.3774-3775/2026 passed by the Karnataka State Administrative Tribunal at Bengaluru (for short "Tribunal") rejecting interim prayer to stay the notification dated 18.05.2026 (Annexure-A8) promoting respondent No.4 to the cadre of Additional Director and Notification dated 29.07.2026 (Annexure-A9) posting respondent No.4 in petitioner's place and transferring the petitioner to the place of respondent No.4.

2. Heard learned senior counsel Sri.P.S.Rajagopal for Ms.Ashwini Rajagopal, learned counsel for the petitioner and Sri.B.S.Sudhindra, learned High Court Government Pleader for respondents No.1 and 2 and learned senior counsel Sri.Udaya Holla for Sri.Gopalakrishna Karangada, learned counsel for respondent No.4. Perused the entire writ petition papers.

3. Learned senior counsel Sri.P.S.Rajagopal would submit that the petitioner was before the Tribunal questioning the notification dated 18.05.2026 promoting respondent No.4 to the post of Additional Director of Agricultural Marketing and subsequent notification dated 29.07.2026 posting respondent No.4 in the place of petitioner and transferring the petitioner to the place of respondent No.4 at Mysuru. Learned senior counsel would submit that the selection of respondent No.4 to Group-B post of District Marketing Officer was revised and in the revised select list dated 30.01.2021, the name of respondent No.4 was not included in the select list which was the subject matter of Application No.686/2021 and the Tribunal refused to interfere with the revised select list and dismissed the application of Respondent No.4. Against which, respondent No.4 is before this Court in W.P.No.9297/2022 and this Court, on 05.05.2022 granted an order of status-quo. It is the submission of the learned senior counsel that by virtue of the order of status-quo, the respondent No.4 continued in service in the post held

by him i.e., Joint Director of Agricultural and Marketing. However, he could not have been promoted to the next higher cadre of Additional Director. Further, learned senior counsel would submit that when the petitioner could not have been promoted as Additional Director of Agricultural Marketing, he is not eligible to hold the post of Additional Director, as such, he could not have been posted to disturb the present place of petitioner as the Secretary of Agricultural Produce Marketing Committee, Bangalore. Learned senior counsel would submit that the Tribunal erred while deciding the interim prayer to stay the Notification of transfer and in coming to the conclusion that the promotion of respondent No.4 is in no way causing prejudice or affecting the position of the petitioner. Further, learned senior counsel would submit that the finding of the Tribunal while rejecting the interim prayer would render the application before the Tribunal itself infructuous. Further, learned senior counsel would submit that merely because the petitioner has completed his tenure, the Tribunal could not have rejected the

interim prayer when respondent No.4, who is not eligible to hold the post of Additional Director is posted in place of the petitioner. Thus, learned senior counsel would pray for allowing the writ petition and to grant interim prayer as prayed for before the Tribunal.

4. Per contra. learned senior counsel Sri.Udaya Holla for respondent No.4 would submit that the interim order of status-quo granted to Respondent No.4 in W.P.No.9297/2022 would relate to the deletion or otherwise of his name from the select list and when Respondent No.4 is continued in service by virtue of the order of *status-quo*, he would be entitled for all the benefits available on his continuation. Further, learned senior counsel would submit that when the petitioner has completed his tenure, he cannot stick to the post and he has no right to continue further after completion of his tenure.

5. Learned High Court Government Pleader would support the order passed by the Tribunal and would

submit that the contentions raised by the petitioner are required to be considered by the Tribunal at the time of disposal of the application. Thus, he prayed for dismissal of the writ petition.

6. Having heard the learned counsel for the parties and on perusal of the entire writ petition papers, we are of the considered opinion that the petitioner has not made out any ground to interfere with the rejection of interim prayer under impugned order dated 21.08.2026 in Applications No.3774-3775/2026.

7. The contentions raised by the petitioner, whether respondent No.4 would be entitled for promotion to the cadre of Additional Director of Agricultural Marketing and whether the posting of respondent No.4 in petitioner's place is contrary to the interim order granted in favour of respondent No.4 in W.P.No.9297/2022 are all matters for the Tribunal to decide at the time of final disposal of the pending application. The question as to whether the petitioner could continue after completion of his tenure in

the present post in the facts and circumstances of the present case, is to be gone into by the Tribunal on receiving response from the State Government. The Tribunal, in the facts and circumstances was of the opinion that the petitioner has not made out a *prima facie* case. While arriving at the said conclusion, the Tribunal has taken note of the completion of tenure of the petitioner. The said finding is only for the purpose of granting or non-granting of the interim prayer of the petitioner.

8. However, the Tribunal at this stage could not have given a *prima facie* finding that the promotion given to respondent No.4 is in no way causing prejudice or affecting the post or position of the petitioner.

9. In the above circumstances, we are of the view that the petitioner has not made out a *prima facie* case for grant of interim prayer as sought before the Tribunal. We make it clear that any observations made by the Tribunal while rejecting interim prayer shall only be for the purpose of passing interim order and the same shall not influence

the Tribunal while considering the main prayer of the petitioner.

10. With the above, the writ petition stands ***disposed of.***

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

**Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE**

MPK
CT:bms