



CNR: KAHC010623892025

NC: 2026:KHC:55026
WP No. 28953 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 28953 OF 2025 (S-RES)

BETWEEN:

1. SRI VEERANNA R KATTIMANI
SON OF REVANSIDDAPPA KATTIMANI
AGED ABOUT 51 YEARS
ASSOCIATE PROFESSOR
BASAVESHWARA ENGINEERING COLLEGE
BAGALAKOTE - 587 101
2. S S BOPARDEKAR
SON OF S.K. BOPARDEKAR
AGE ABOUT 55 YEARS
ASSOCIATE PROFESSOR
BASAVESHWARA ENGINEERING COLLEGE
BAGALAKOTE - 587 101
3. ANAND H AGADI
SON OF HANUMANTAHPPA NARAYANAPPA AGADI
AGE ABOUT 53 YEARS
ASSOCIATE PROFESSOR
BASAVESHWARA ENGINEERING COLLEGE
BAGALAKOTE - 587 101

...PETITIONERS

(BY SRI. JANARDHANA G., ADVOCATE)

Digitally signed
by VIDYA G R
Location: HIGH
COURT OF
KARNATAKA



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AND:

1. STATE OF KARNATAKA
MINISTRY OF HIGHER EDUCATION
REP BY ITS SECRETARY
VIDHANA SOUDHA
BANGALORE - 560 001
2. THE COMMISSIONER FOR COLLEGIATE AND
TECHNICAL EDUCATION
GOVERNMENT OF KARNATAKA
SESHADRI ROAD
BENGALURU - 560 001
3. THE DIRECTOR OF TECHNICAL EDUCATION
PALACE ROAD
BENGALURU - 560 001
4. THE PRINCIPAL
BASABESHWARA ENGINEERING COLLEGE
BAGALAKOTE - 587 101

...RESPONDENTS

(BY SMT. ASHVINI PATIL, AGA FOR R1 TO R3
R4 SERVED)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO-QUASH ACT-
7/2014, THE KARNATAKA PRIVATE AIDED EDUCATIONAL
INSTITUTIONS EMPLOYEES (REGULATION OF PAY, PENSION
AND OTHER BENEFITS) ACT, 2014 VIDE ANNEXURE-E WITH
RESPECT TO PETITIONERS.



CNR: KAHC010623892025

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

CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

1. The petitioners are stated to be working in the fourth respondent-institution. The petitioners have filed the present petition seeking for issuance of writ of *certiorari* or appropriate writ setting aside Act 7/2014, the Karnataka Private Aided Educational Institutions Employees (Regulation of Pay, Pension and other benefits) Act, 2014. The petitioners specifically state that they may be extended benefits by taking note of the observations made in W.P.No.21216/2014 and connected matters.

2. At the time of hearing of the matter, the learned counsel for petitioners submitted that it would suffice if the petition is disposed of and direction is granted to the respondents to consider their case and extend such



service benefits as flow from paragraph 61 of the order passed in W.A.No.2476/2015.

3. At the time of consideration of the matter, reliance is placed on the order passed in W.A.No.2476/2015 and connected matters dated 24.07.2026.

4. A perusal of the said order would reveal that writ petitions assailing the constitutional validity of the Act in question was allowed and W.P.No.21216/2014 and connected matters came to be allowed. The same was challenged in W.A.No.2476/2015 and connected matters.

5. Learned Government Advocate appearing for the respondents submits that while the order in writ petition was affirmed, however the nature of relief that flows to the petitioners is on the basis of the observations made in para 61 of the order in appeal. Taking note of the same and on perusal of para 61, the present petition could be disposed of.



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6. Para 61 of the judgment reads as follows:

"61. It is also necessary to clarify the extent of the relief that would flow from the present judgment. The issue involved in the present batch of matters is confined to whether the service rendered by employees during the non-grant period is liable to be reckoned for the purpose of fixation of pay and other consequential service benefits. Neither the provisions governing grant-in-aid nor the statutory framework casts any liability upon the State to pay salary for the period prior to admission of the post to grant-in-aid. As produced supra, Annexure-I of Rules, 1999 would make it abundantly clear that the management shall be liable for payment of salary and other benefits till the date such posts are admitted into grant-in-aid. The liability to pay salary during the non-grant period continues to rest upon the management of the concerned institution. Consequently, the service rendered during the said period shall be taken into account only for the purpose of notional fixation of pay as on the date of admission of the post to grant-in-aid and for extending consequential benefits such as pension and other service benefits. The employees shall not be entitled to claim arrears of



CNR: KAHC010623892025

salary or any other monetary benefits from the State for the period preceding the admission of the post to grant-in-aid."

Taking note of the above, entitlement of the petitioners would be as observed by the court in the observations contained in para 61.

7. Accordingly petition is allowed. Respondents No.2 and 3 are directed to take note of the observations made above and reckon services of the petitioners from the date of appointment i.e. appointment pre grant-in-aid for the purpose of extending benefits as would flow from para 61 of the order in Writ Appeal mentioned above.

8. Needless to state, the respondents to complete consideration and pass appropriate orders within a period of six months.

9. Accordingly, the petition is ***disposed of***.



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Pending IAs, if any, stand disposed of accordingly.

Sd/-
(S SUNIL DUTT YADAV)
JUDGE

SKS