



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF JUNE, 2026

PRESENT

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

AND

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

WRIT PETITION NO. 26588 OF 2023 (S-KSAT)

BETWEEN:

SRI.CHANDRAPPA K,
S/O.NAGAPPA,
AGED ABOUT 46 YEARS,
PRESENTLY WORKING AS ASSISTANT TEACHER,
GOVT. PRE UNIVERSITY COLLEGE,
(HIGH SCHOOL SECTION),
RIPPONPETE,
HOSANAGARA TALUK,
SHIVAMOGGA DISTRICT – 577 426.
R/AT GATHIKERE VILLAGE,
KAMACHI POST,
HOSANAGARA TALUK,
SHIVAMOGGA DISTRICT – 577 436.

...PETITIONER

(BY SRI. BASAVARAJA PATEL G.K.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF SCHOOL EDUCATION
AND LITERACY,
M.S. BUILDING,
BENGALURU - 560 001.
REP. BY ITS PRINCIPAL SECRETARY.

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by
VIJAYALAKSHMI
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Location: HIGH
COURT OF
KARNATAKA



2. THE COMMISSIONER,
DEPARTMENT OF PUBLIC INSTRUCTION,
NRUPATHUNGA ROAD,
BENGALURU - 560 002.
 3. THE DEPUTY DIRECTOR OF PUBLIC
INSTRUCTION,
SHIVAMOGGA DISTRICT,
SHIVAMOGGA - 577 401.
 4. THE BLOCK EDUCATION OFFICER,
HOSANAGARA TALUK,
HOSANAGARA,
SHIVAMOGGA DISTRICT - 577 436.
...RESPONDENTS
- (BY SRI.V. SHIVA REDDY, AGA FOR R1 TO R4)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS RELATING TO THE IMPUGNED ORDER PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL AT BENGALURU DATED 18/04/2023 MADE IN A.NO.5460/2022 VIDE ANNEXURE-A PERUSE AND QUASH THE SAID ORDER AS ERRONEOUS AND CONTRARY TO LAW, AND ALLOW THE APPLICATION NO.5460/2022 AS PRAYED SOUGHT THEREIN AND GRANT SUCH OTHER ORDER OR DIRECTION.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
and
HON'BLE DR. JUSTICE K.MANMADHA RAO



ORAL ORDER

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

Petitioner is before this Court under Article 226 of the Constitution of India, questioning the order dated 18th April, 2023 in Application No.5460/2022 passed by the Karnataka State Administrative Tribunal, Bengaluru, (for short the Tribunal) dismissing challenge to Endorsement dated 08.09.2022 (Annexure-A9), rejecting the petitioner's request for medical reimbursement under the Karnataka Government Servants (Medical Attendance) Rules, 1963 on the ground that F.I.R is registered against his son in a motor vehicle accident case.

2. Heard learned counsel Sri.Basavaraja Patel.G.K for petitioner and learned Addl. Government Advocate Sri.V.Shiva Reddy for respondents.

3. Learned counsel for the petitioner would submit that petitioner is working as Assistant Teacher in Government Pre-University College and his son by name



Nesar met with an accident on 03.06.2019 who was admitted to BGS Global Hospital, Bengaluru, where the petitioner spent a sum of Rs.14,07,171/- for medical treatment of his son. It is also stated that jurisdictional Police had registered a case in Crime No.47/2019 on 03.06.2019 against the petitioner's son for offences punishable under Section 279 of IPC where the petitioner's son pleaded guilty. Subsequently, the petitioner claimed reimbursement of medical expenses to the tune of Rs. Rs.14,07,171/- spent towards his son's medical treatment. However, the respondent under Endorsement dated 08.09.2022 (Annexure-A1), rejected the request of the petitioner for medical reimbursement on the ground that F.I.R is registered in respect of the accident in which the petitioner's son was involved. Questioning the said endorsement, the petitioner was before the Tribunal in the above said application and the Tribunal vide impugned order dated 18th April 2023, rejected the petitioner's application with observation that the son of the



petitioner is involved in a criminal act for which he was convicted by the competent authority and was proved guilty for the charges. Hence, it came to the conclusion that the petitioner would not be entitled for medical reimbursement. Questioning the order of the Tribunal as well as endorsement made earlier by the respondent dated 08.09.2022 (Annexure-A9), the petitioner is before this Court in this writ petition.

4. Learned counsel Sri.Basavaraja Patel, for the petitioner would submit that the endorsement issued by the respondent, rejecting his medical reimbursement claim only on the ground that his son was involved in the motor vehicle accident, is wholly unreasonable and the said endorsement is not based on any rule or provision relating to medical reimbursement.

5. Learned counsel for the petitioner would refer to Karnataka Government Servants' (Medical Attendance) Rules 1963 (in short 'Rules of 1963') and submits that there is no provision in the rules to reject the medical



reimbursement claim only on the ground of registration of an F.I.R in that regard. Learned counsel further contends that the criminal action is for rash and negligent driving and the same would not *per se* disentitle the person to claim reimbursement under the rules where such person has taken treatment for the injuries suffered in the accident. Thus praying for allowing the writ petition.

6. Per contra, learned Addl. Government Advocate Sri.Shiva Reddy is not in a position to point out any provision which empowers the authority to reject medical reimbursement on the ground that F.I.R is registered with regard to the accident.

7. Affidavit of Additional Chief Secretary to Government, Department of School Education and Literacy dated 11.02.2026 is filed in pursuance of order dated 12.09.2025 in the above writ petition. Para Nos.7, 8 and 9 of said affidavit reads as follows:

7. I further submit that the matter was referred to the Department of Personnel and



*Administrative Reforms (Service Rules). The DPAR, vide its endorsement No. DPAR/12/SMR/2026 dated 10.02.2026, has examined the issue with reference to the Karnataka Government Servants (Medical Attendance) Rules, 1963, and has opined that Rule 14(3) the said Rules governs the manner and rates at which medical reimbursement is admissible in respect of treatment taken in authorized hospitals and institutions, in accordance with the package rates fixed under the Central Government Health Service (CGHS). The DPAR endorsement does not indicate the existence of any specific rule under the KGS (MA) Rules, 1963, which mandates rejection of a medical reimbursement claim merely on account of registration of an FIR relating to a road traffic accident. Copy of endorsement dated 10.02.2026 is annexed herewith as **ANNEXURE R2.***

8. I respectfully submit that the claim of the petitioner was also examined by the Suvarna Arogya Suraksha Trust (SAST), which is the designated body for scrutiny of such claims involving specialised schemes and accident-related treatment. The SAST, vide its Office Memorandum bearing No. AKuKa/SAST/MRC/2025-26 dated 09.02.2026, reiterates that in cases where medical reimbursement is sought in respect of injuries sustained in a road traffic accident and an FIR is registered, it is necessary to ensure that the claimant has not received reimbursement or compensation for the same treatment from any other source, including a motor insurance company or any other insurance institution. The instructions further require that, prior to determination of the admissible medical



*reimbursement amount, verification shall be undertaken to prevent the possibility of double claims. It is also stated therein that, in road traffic accident cases the claimant has to avail compensation through the relevant insurance mechanisms, and appropriate advice shall be extended in that regard. Copy of communication dated 09.02.2026 is annexed herewith as **ANNEXURE R3**.*

9. *I respectfully submit that the sequence of communications from the Finance Department, the Department of Personnel and Administrative Reforms (Service Rules), and the Suvarna Arogya Suraksha Trust reflects that the respondents have acted bona fide by seeking guidance from the competent authorities and by placing the applicable instructions, including those relating to verification to prevent the possibility of double claims, along with the relevant legal and administrative position, on record before this Hon'ble Court, without any arbitrariness or deliberate non-compliance with the directions of this Hon'ble Court.*

8. It is not in dispute that the petitioner's son was injured in a road traffic accident and in that regard, a medical reimbursement claim was submitted by petitioner claiming a sum of Rs.14,07,171/-. When bills are submitted seeking medical reimbursement, the respondents are duty-bound to examine such claim under



Rule 14 of the Rules of 1963. Particularly, Rule 14(3) of the said rules lays down the procedure and the circumstances under which a Government servant could claim medical reimbursement. The Rules of 1963, nowhere would empower the State to reject medical reimbursement claim by its servants solely on the ground of registration of F.I.R in respect of an accident in which such Government servant or his family members are injured and have taken treatment for such injury. In the absence of any such enabling provision, the action of the State in rejecting the petitioner's claim for medical reimbursement of his son who was involved in a road traffic accident, is contrary to Rules of 1963.

9. The Tribunal rejected the petitioner's claim observing that the son of the petitioner is involved in a criminal act, in which he pleaded guilty and was convicted. It has to be noted that the criminal action against the son of the petitioner was for rash and negligent driving. The rules would not bar grant of medical reimbursement



sought for by the petitioner. Under the Rules the authorities could examine the genuineness of the claim. The medical reimbursement would always be towards treatment taken for the ill-health and any other health issues. Scheme of medical reimbursement is a social welfare measure introduced by the State and under the said scheme, the respondents could not have rejected the claim of the petitioner solely on the ground that F.I.R is registered in relation to the claim of the petitioner in a road traffic accident. Thus, we do not find any justifiable reason to reject the petitioner's claim for medical reimbursement. The claim of the petitioner for medical reimbursement is liable to be considered under Rule-14 of Rules of 1963.

10. In the above circumstances, the following:

ORDER

- i) The Writ Petition is ***allowed.***
- ii) Endorsement dated 04.08.2020 bearing

ಸಂಖ್ಯೆ:ಸಿ(3)/ಪ್ರಾಶಿ/ವೈ.ವೆ.ಮ.ಪಾ.ಹಿಂ/04/2020-21 (Annexure-A6)



is quashed. Consequently, the order of the Tribunal dated 18.04.2023 in Application No.5460/2022 also stands quashed.

- iii) Respondents No.2 to 4 are directed to examine medical reimbursement claim of the petitioner in the light of Rules 1963 and pass appropriate order within three three months from the date of uploading the order.

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

**SD/-
(DR.K.MANMADHA RAO)
JUDGE**