



CNR: KAHC010629912025

NC: 2026:KHC:41450-DB
WA No. 1597 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF AUGUST, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 1597 OF 2025 (S-RES)

BETWEEN:

ABHINANDANA M.N.,
D/O NINGE GOWDA,
W/O ARUN KUMAR.B.N,
AGED ABOUT 34 YEARS,
R/AT. NO.1239,
KARIYANNA KEMPANNA STREET,
SRIRANGAPATANA,
MANDYA DISTRICT - 571 438.

...APPELLANT

(BY SRI. SHEKAR L, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
THE STATE OF KARNATAKA,
DEPARTMENT OF WOMEN AND
CHILD DEVELOPMENT,
M.S.BUILDING,
BANGALORE - 560 001.
REPRESENTED BY ITS
PRINCIPAL SECRETARY.



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2. THE DEPUTY COMMISSIONER,
MANDYA DISTRICT,
MANDYA - 571 401.
3. THE DEPUTY DIRECTOR,
DEPARTMENT OF WOMEN AND
CHILD DEVELOPMENT,
DISTRICT OFFICE,
MANDYA - 571 401.
4. THE CHILD DEVELOPMENT OFFICER,
DEPARTMENT OF WOMEN AND
CHILD DEVELOPMENT,
SRIRANGAPATNA,
MANDYA DISTRICT - 571 438.
5. THE TAHSILDAR,
SRIRANGAPATNA TALUK,
SRIRANGAPATNA,
MANDYA DISTRICT - 571 438.

...RESPONDENTS

(BY SRI. M.N. SUDEV HEGDE, AGA FOR R1 TO R5)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE THE ORDER DATED 07.07.2025 PASSED BY THE HONBLE LEARNED SINGLE JUDGE IN WRIT PETITION No. 2670/2020, TO THE EXTENT OF DENIAL OF BACK WAGES AND OTHER CONSEQUENTIAL BENEFITS FROM THE DATE OF RELIEVING FROM SERVICE TILL THE DATE OF REINSTATEMENT IS CONCERNED AND CONSEQUENTLY ALLOWED THE WRIT PETITION AS PRAYED FOR BY ALLOWING THIS WRIT APPEAL AND ETC.



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THIS APPEAL, COMING ON FOR PRELIMINARY HEARING,
THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE T.M.NADAF)

This intra Court appeal is directed against the order dated 07.07.2025 passed by the Writ Court in W.P.No.2670/2020, only with respect to direction (e) in the operative portion, wherein the petitioner held to be not entitled to any back wages from the date of her termination till date of her reinstatement.

2. The parties are referred to as per their ranking before the Writ Court.

3. Facts germane to file this present appeal are as under:

4. The petitioner filed the writ petition for the following reliefs:



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- (a) *Issue writ in the nature of certiorari to quash the order dated 22.07.2019 bearing No.ನಂ.ಉನಿಮಂ/ಐಸಿಡಿ/ಅಂ/ಕಾಕ/ಕ.ಬಿ/2019-20/400 issued by the respondent No.3, vide Annexure-P.*
- (b) *In consequence whereof pass order/directions to the respondents to continue the petitioner in the post of Anganawadi worker at Srirangapatna Taluk, selected by virtue of the notification dated 17.07.2012 vide Annexure-G issued by the 5th respondent.*
- (c) *Direct the respondents to provide continuity of service, with all service and monitory benefits to the petitioner.*
- (d) *Pass order/orders/direction as this Hon'ble Court deemed fit under the facts and circumstances of the case in the interest of justice and equity."*

5. In response to the recruitment notification dated 17.07.2012, for appointment of Anganawadi Workers at the Anganawadi Centres in Srirangapatna Taluk, petitioner as well as respondent No.6 applied for post of Anganawadi Workers by means of application. After verification of the records, petitioner was appointed as Aaganawadi worker for Ward No.13 of Srirangapatna.



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6. The said appointment order was called in question by respondent No.6 in W.P.No.47903/2012 before this Court. This Court by means of order dated 28.05.2018 disposed of the writ petition with following observation in paragraph No.10, which reads as under:

"10. To enable the said consideration to be made, the petitioner shall now submit a representation to respondent No.3 providing the details to indicate that she was a widow as on the date of the application for which the documents had been produced along with the application and continues to remain so even as on today. Further the document to indicate that she had completed her SSLC had been produced along with the application shall also be indicated in such representation by producing copies of the same. On such representation being filed by the petitioner, the respondent No.4 shall be notified in that regard and she shall also be provided an opportunity to indicate as to whether the claim as made by the petitioner is justified. Thereafter, the respondent No.3 shall take a decision in the matter in the manner as indicated above, such decision in any event shall be taken by the respondent No.3 in an expeditious manner but, not later than three months from the date on which the representation and the copy is submitted to the respondent No.3."



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7. Subsequent to the order passed by this Court in the aforesaid writ petition, respondent No.3 without considering the directions, issued impugned order at *Annexure-P*, without giving any notice to the petitioner. So also not taken any action in respect of respondent No.6 in terms of the order passed by this Court in the writ petition *supra*.

8. The order at *Annexure-P*, as per the petitioner is an abrupt relieving/removing order, without following the observations made in the writ petition afore. The petitioner was before this Court assailing the order at *Annexure-P* dated 22.07.2019. The Writ Court after considering the arguments as well as the order passed by this Court in the earlier petition allowed the writ petition and granted further direction which reads as under:

- a) *The writ petition is allowed.*
- b) *The impugned order dated 22.07.2019 passed by the respondent No.3 vide Annexure-P is quashed.*



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- c) *The respondents are directed to reinstate the petitioner in service, within two weeks from the date of receipt of the certified copy of this order.*
- d) *The respondents are also directed to consider the case of respondent No.6 pursuant to the directions of this Court in W.P.No.47903/2012, within three months from the date of receipt of the certified copy of this order.*
- e) *It is made clear that the petitioner is not entitled to any back wages from the date of her termination till the date of her reinstatement."*

9. The direction (e) in the operative portion of writ petition, this Court has declined the back wages from the date of her termination till the date of her reinstatement. It is this operative portion of the order is called in question in this appeal.

10. Heard arguments of Sri.Shekar.L, learned counsel appearing for appellant and Sri.M.N.Sudev Hegde, learned Additional Government Advocate for respondent Nos.1 to 5.



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11. The appeal is restricted only with respect to portion of the order at (e) in the operative portion, wherein this Court declined back wages to the petitioner. The petitioner was working as Anganawadi Worker in terms of the appointment order.

12. Upon the order dated 28.05.2018, passed in W.P.No.47903/2012, respondent No.3 in an haste, without considering the directions of the order, stating that in terms of the order passed by this Court in writ petition afore, she has been relieved/removed from the work.

13. A perusal of the paragraph No.10 of the order dated 28.05.2018, no where states that petitioner herein i.e., respondent No.4 in the writ petition afore, shall be removed from the work at threshold. The order is very specific at paragraph No.10 which we have already extracted. However, few lines from the paragraph which clearly says that "*On such representation being filed by the petitioner, the respondent No.4 (petitioner herein)*



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shall be notified in that regard and she shall also be provided an opportunity to indicate as to whether the claim as made by the petitioner is justified. Thereafter, the respondent No.3 shall take a decision in the manner stated above".

14. A perusal of the order impugned is not disclosing compliance of the direction of this Court, as such, the order of removal is illegal and non-sustainable, besides in direct violation of direction. In that view of the matter the order itself is stated to be non-est and reinstatement relates back to the date of removal order. The order of the Writ Court declining back wages is not sustainable in law. That apart, wages paid by way of Honorarium is very insignificant, for the enormous work done by the Anganwadi worker and tremendous services in many fold to the society.

15. In that view of the matter, the order portion at (e) in the operation portion is modified holding that:



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"Petitioner is entitled for the back wages from the date of her termination till the date of her reinstatement."

16. Added to this the petitioner is also entitled to the continuity of service, subject to the action contemplated in terms of order dated 28.05.2018, passed in W.P.No.47903/2012.

17. With this modification, writ appeal is ***allowed***.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

RR
List No.: 1 Sl No.: 1
ct-vn