



NC: 2026:KHC:29373-DB
WA No. 1690 of 2024
C/W WA No. 1694 of 2024
WA No. 1738 of 2024
AND 1 OTHER

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

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

WRIT APPEAL NO.1690 OF 2024 (S-RES)

C/W

WRIT APPEAL NO.1694 OF 2024 (S-DE)

WRIT APPEAL NO.1738 OF 2024 (S-DE)

WRIT APPEAL NO.832 OF 2025 (S-RES)

IN WA No.1690/2024:

BETWEEN:

KARNATAKA STATE AGRO CORN
PRODUCTS LIMITED.,
GOVT OF KARNATAKA UNDERTAKING
REGD OFFICE: POST BAG NO.2479
BELLARY ROAD, HEBBAL,
BENGALURU - 560 024.
REP BY ITS MANAGING DIRECTOR

...APPELLANT

(BY SRI. MURALIDHAR H M., ADVOCATE)

AND:

SRI. V.R. SOMWANSI,
S/O RAMRAO,
AGED ABOUT 68 YEARS,
R/AT NO. 249, "INDIRA NIVAS",
NEAR BASAVA TEMPLE,
BASEHTTIHALLI INDUSTRIAL AREA
DODDA BALLAPRUA - 561203
BENGALURU RURAL DISTRICT.

...RESPONDENT

(BY SRI. PRAMOD N. KATHAVI, SR. ADVOCATE FOR
SRI. S.V. BHAT., ADVOCATE FOR C/R)



**NC: 2026:KHC:29373-DB
WA No. 1690 of 2024
C/W WA No. 1694 of 2024
WA No. 1738 of 2024
AND 1 OTHER**

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO CALL FOR THE RECORDS, PERUSE THE SAME, ALLOW THIS WRIT APPEAL SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE PASSED IN WP NO.50964/2012 DATED:02.08.2024 AND ETC.,

IN WA NO. 1694/2024:

BETWEEN:

KARNATAKA STATE AGRO CORN
PRODUCTS LIMITED.,
GOVT OF KARNATAKA UNDERTAKING
REGD OFFICE: POST BAG NO.2479
BELLARY ROAD, HEBBAL,
BENGALURU - 560 024.
REP BY ITS MANAGING DIRECTOR

...APPELLANT

(BY SRI. MURALIDHAR H M., ADVOCATE)

AND:

SRI. T.R. SRINATH,
S/O LATE T.N. RAMAMURTHY,
AGED ABOUT 65 YEARS,
EARLIER WORKIGN AS
DY. GEN MANAGER
KARNATAKA STATE AGRO
CORN PRODUCTS LTD,
DODDABALLAPUR UNIT
SINCE ILLEGALLY DISMISSED
FROM SERVICE AND R/AT
NO. 25/1, 13TH CROSS,
11TH MAIN, WILSON GARDEN,
BENGALURU - 560 024.

...RESPONDENT

(BY SRI.PRAMOD N. KATHAVI, SR. ADVOCATE FOR
SRI. S.V. BHAT., ADVOCATE FOR C/R)



**NC: 2026:KHC:29373-DB
WA No. 1690 of 2024
C/W WA No. 1694 of 2024
WA No. 1738 of 2024
AND 1 OTHER**

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO CALL FOR THE RECORDS, PERUSE THE SAME, ALLOW THIS WRIT APPEAL SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE PASSED IN WP NO.35645/2012 DATED:02.08.2024 AND ETC.,

IN WA NO. 1738/2024:

BETWEEN:

KARNATAKA STATE AGRO
CORN PRODUCTS LIMITED.,
GOVT OF KARNATAKA UNDERTAKING
REGD OFFICE: POST BAG NO.2479
BELLARY ROAD, HEBBAL,
BENGALURU - 560 024.
REP BY ITS MANAGING DIRECTOR

...APPELLANT

(BY SRI. MURALIDHAR H M.,ADVOCATE)

AND:

SRI. R. RAMESH RAO,
S/O S. RAMADAS,
AGED ABOUT 68 YEARS,
EARLIER WORKING AS
DEPUTY GENERAL MANAGER,
KARNATAKA STATE AGRO
CORN PRODUCTS LTD.,
MYSORE UNIT,
SINCE ILLEGALLY DISMISSED
FROM SERVICE
AND RESIDING AT FLAT NO.01
VISHAL APRTMENTS, NO.21,
MODEL HOUSE STREET,
BASAVANAGUDI,
BENGALURU - 560 004.

...RESPONDENT

(BY SRI. GIRISH, ADVOCATE FOR C/RESPONDENT)



**NC: 2026:KHC:29373-DB
WA No. 1690 of 2024
C/W WA No. 1694 of 2024
WA No. 1738 of 2024
AND 1 OTHER**

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT,1961, PRAYING TO CALL FOR RECORDS, PERUSE THE SAME, ALLOW THIS WRIT APPEAL SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE PASSED IN WP No.35646/2012 DATED:02.08.2024 AND ETC.,

IN WA NO. 832/2025:

BETWEEN:

SRI. V.R. SOMWANSHI,
S/O RAMRAO,
AGED ABOUT 69 YEARS,
RESIDING AT NO.249,
"INDIRA NIVAS",
NEAR BASAVA TEMPLE,
BASHETTIHALLI INDUSTRIAL AREA,
DODDABALLAPUR - 561 203.
BANGALORE RURAL DISTRICT.

...APPELLANT

(BY SRI. PRAMOD N. KATHAVI, SR. ADVOCATE FOR
SRI. S.V. BHAT., ADVOCATE)

AND:

1. THE MANAGEMENT OF
KARNATAKA STATE AGRO
CORN PRODUCTS LTD.,
A GOVERNMENT OF KARNATAKA
UNDERTAKING
POST BOX NO. 2479,
BELLARY ROAD, HEBBAL,
BANGALORE - 560 024.
2. THE MANAGING DIRECTOR,
KARNATAKA STATE AGRO
CORN PRODUCTS LTD.,
A GOVERNMENT OF KARNATAKA
UNDERTAKING
POST BOX NO. 2479,
BELLARY ROAD, HEBBAL,
BANGALORE - 560 024.



**NC: 2026:KHC:29373-DB
WA No. 1690 of 2024
C/W WA No. 1694 of 2024
WA No. 1738 of 2024
AND 1 OTHER**

3. THE APPELLATE AUTHORITY,
KARNATAKA STATE AGRO
CORN PRODUCTS LTD.,
A GOVERNMENT OF KARNATAKA
UNDERTAKING
POST BOX NO. 2479,
BELLARY ROAD, HEBBAL,
BANGALORE - 560 024.
BY ITS MEMBER

...RESPONDENTS

(BY SRI. MURALIDHAR H M., ADVOCATE FOR R1 TO R3)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO MODIFY THE ORDER OF THE LEARNED SINGLE JUDGE DATED:02.08.2024 IN SO FAR AS REFUSING TO QUASH THE ORDERS DATED:20.03.2007 AND 02.07.2007 (ANNEXURE-AD AND AF) TO THE WRIT PETITION AND GRANT THE RELIEFS (ii) & (iii) IN THE PRAYER COLUMN OF WRIT PETITION NO.50964/2012.

THESE APPEALS ARE 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 D K SINGH)

These appeals have been filed impugning the judgment and order dated 02.08.2024 passed by the Writ Court in W.P.Nos.50964/2012 & connected matters.

2. The parties are referred to as per their rankings before the Writ Court for the sake of convenience.



**NC: 2026:KHC:29373-DB
WA No. 1690 of 2024
C/W WA No. 1694 of 2024
WA No. 1738 of 2024
AND 1 OTHER**

3. The petitioners, ex-employees of M/s.Karnataka State Agro Corn Corporation Products Limited have filed three writ petitions challenging the punishment orders dated 25.01.2006 passed by the Disciplinary Authority and order dated 21.11.2011 passed by the Appellate Authority imposing punishment of termination from service. Earlier to filing of these writ petitions, the petitioners had challenged the order of punishment inflicted upon them.

4. The petitioners had filed W.P.Nos.17095/2007 c/w 17092/2007 challenging the order of punishment passed by the Disciplinary Authority imposing the penalty of termination from service and the order of Appellate Authority confirming the order passed by the Disciplinary Authority. The petitioners raised objection that Rule 8.3 of the Karnataka Agro Industries Corporation Service Rules, 1969, provides for penalties. The petitioners were not appointed on contract basis, as such the question of terminating them would not arise. The termination from



**NC: 2026:KHC:29373-DB
WA No. 1690 of 2024
C/W WA No. 1694 of 2024
WA No. 1738 of 2024
AND 1 OTHER**

service can only be with respect to the employees who were appointed on contract basis. Either of the petitioners was not appointed on contract basis, the punishment order of terminating their services would be against the Service Rule 8.3.

5. The learned Single Judge held that the findings recorded by the Enquiry Officer as well as acceptance of the report by the Disciplinary Authority could not be faulted with. However, it was said that when a specific ground was raised in the memorandum of appeal against inflicting the punishment of termination from service, the Appellate Authority was required to consider the said ground and pass appropriate orders. The Appellate Authority did not deal with the specific ground raised, therefore the matter was remanded back to the Appellate Authority for fresh consideration having regard to the specific ground urged by the petitioners in the memorandum of appeal.



**NC: 2026:KHC:29373-DB
WA No. 1690 of 2024
C/W WA No. 1694 of 2024
WA No. 1738 of 2024
AND 1 OTHER**

6. The observation that matter stands remitted to the Appellate Authority and the Appellate Authority shall take into consideration the grounds of appeal and pass appropriate orders, would not mean that the petitioners got the liberty to impugn the order of the Disciplinary Authority so far as merit was concerned, but they were given liberty only to urge all grounds in support of their contention that Rule 8.3 did not provide for imposing the punishment of termination of service on permanent employees.

7. On remand, the Appellate Authority converted the punishment of termination from service to dismissal from service. The order passed by the Appellate Authority inflicting the punishment order of dismissal from service came to be challenged by the petitioners by filing the three writ petitions as noted above. The learned Single Judge in the impugned judgment and order has set aside the order passed by the Disciplinary Authority dated 25.01.2006 and the Appellate Authority order dated



**NC: 2026:KHC:29373-DB
WA No. 1690 of 2024
C/W WA No. 1694 of 2024
WA No. 1738 of 2024
AND 1 OTHER**

21.11.2011 and directed for payment of all consequential benefits to the petitioners.

8. The learned Single Judge, in fact, has again gone into the merit of the enquiry and punishment inflicted. In view of the earlier order passed, as noted above in the writ petitions, the only question which was to be considered by the Appellate Authority was that, whether the order of punishment inflicting the punishment of termination from service was in accordance with law or some other punishment was required to be inflicted. The learned Single Judge has considered the merit of the case instead of considering the fact that whether the punishment order of dismissal from service was provided under Rule 8.3 or not.

9. We are of the considered view that, the learned Single Judge ought not to have gone into the merit again once the merit was considered in earlier round and all contentions of the petitioners were rejected except for



**NC: 2026:KHC:29373-DB
WA No. 1690 of 2024
C/W WA No. 1694 of 2024
WA No. 1738 of 2024
AND 1 OTHER**

remanding the matter back to the Appellate Authority to consider whether the order of punishment of termination from service was in accordance with the Service Rules or not.

10. We are therefore of the view that, the impugned judgment and order of passed by the learned Single Judge is unsustainable. The enquiry was held in accordance with the law. The petitioners were given full opportunity to defend their cases. There was no infraction of the procedure or principal of natural justice in conducting the enquiry. Charges stood proved. We, therefore, set aside the impugned judgment and order passed by the learned Single Judge and allow these writ appeals.

11. The petitioners are however entitled to payment of Earned Leave in terms of Rule 4.17(8)(Note:1(ii)). The petitioners shall be paid the Gratuity along with statutory interest as well as the Leave Encashment for 240 days. The interest should be paid on gratuity w.e.f. 25.01.2006.



**NC: 2026:KHC:29373-DB
WA No. 1690 of 2024
C/W WA No. 1694 of 2024
WA No. 1738 of 2024
AND 1 OTHER**

With the aforesaid direction for payment of Gratuity along with statutory interest and Leave Encashment for 240 days, within a period of six weeks, the writ appeals stand ***allowed.***

12. We make it clear that, the appellant-Corporation would not be entitled to reinitiate any disciplinary proceedings against the appellant in W.A.No.832/2025. However, the right of the appellant-Corporation to recover the amount in appropriate civil proceedings is protected. No order as to costs.

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

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

DR
List No.: 2 SI No.: 9
ct-vn