



CNR: KAHC010665282026

NC: 2026:KHC:55529-DB
WP No. 30314 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF OCTOBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE R DEVDAS

AND

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

WRIT PETITION NO. 30314 OF 2026 (S-KSAT)

BETWEEN:

DR. KIRAN S.
S/O LATE C. SIDDASETTY
AGED ABOUT 46 YEARS
WAS WORKING AS
ASSISTANT COMMISSIONER
(SUB-DIVISIONAL OFFICER)
BENGALURU NORTH DIVISION
KANDAYA BHAVAN, K.G.ROAD
BENGALURU – 560 009
PRESENTLY WORKING AS
DEPUTY EXECUTIVE OFFICER
(ADMINISTRATIVE AND RECOVERY)
KARNATAKA STATE KHADI AND
VILLAGE INDUSTRIES BOARD
KHADI BHAVAN, JASMA BHAVAN ROAD
BENGALURU – 560 001
PERMANENT R/AT NO.438
HALANAHALLI LAYOUT
MYSURU – 570 028.

...PETITIONER

(BY SRI ABHISHEK MAILIPATIL, ADVOCATE FOR
SRI VAMSHI KRISHNA C., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY

Digitally signed
by G
SHREERAKSHA
Location: HIGH
COURT OF
KARNATAKA



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DEPARTMENT OF PERSONNEL
AND ADMINISTRATIVE REFORMS
VIDHANA SOUDHA
DR.B.R.AMBEDKAR VEEDHI
BENGALURU – 560 001.

2. SRI MARUTHI J.B.
KARNATAKA ADMINISTRATIVE SERVICE
(SENIOR SCALE)
WAS WORKING AS DEPUTY
CHIEF EXECUTIVE OFFICER
(ADMINISTRATIVE AND RECOVERY)
KARNATAKA STATE KHADI AND
VILLAGE INDUSTRIES BOARD
KHADI BHAVAN, JASMA BHAVAN ROAD
BENGALURU – 560 001
PRESENTLY WORKING AS
ASSISTANT COMMISSIONER
(SUB DIVISIONAL OFFICER)
BENGALURU NORTH DIVISION
KANDAYA BHAVAN, K.G.ROAD
BENGALURU – 560 009.

...RESPONDENTS

(BY SRI V.G. BHANU PRAKASH, AAG A/W
SMT. VAHEEDA, AGA FOR R1;
PROF RAVI VARMA KUMAT, SENIOR COUNSEL A/W
VINAYAKA S. PANDIT, ADVOCATE
FOR C/R2(CP.NO.20499/2026)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET
ASIDE THE IMPUGNED ORDER DATED 20/08/2026 PASSED BY
THE HON'BLE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL,
BENGALURU, IN APPLICATION NO.3778/2026 (ANNEXURE-B),
IN SO FAR AS IT REJECTS THE INTERIM PRAYER SOUGHT FOR
BY THE PETITIONER, AND CONSEQUENTLY GRANT
APPROPRIATE INTERIM PROTECTION IN FAVOUR OF THE
PETITIONER PENDING DISPOSAL OF APPLICATION
NO.3778/2026 AND ETC.,



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

CORAM: HON'BLE MR. JUSTICE R DEVDAS
and
HON'BLE DR. JUSTICE K.MANMADHA RAO

ORAL ORDER

(PER: HON'BLE MR. JUSTICE R DEVDAS)

We have heard learned counsel for the petitioner and learned Senior counsel Prof. Sri Ravi Varma Kumar on behalf of the learned counsel for respondent No.2 and learned Additional Advocate General for respondent No.1 – State.

2. The writ petition arises out of an interim order passed by the Karnataka State Administrative Tribunal in Application No.3778/2026 dated 20.08.2026. The petitioner who was the applicant before the Tribunal sought for an interim order of stay of the order impugned therein and the Tribunal has passed an order rejecting the prayer for stay. That is being questioned before this Court.



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3. Learned counsel for the petitioner submits that, although it is true that two memos were filed at the hands of the learned Government Advocate before the Tribunal furnishing information that the Hon'ble Chief Minister has approved the transfer and that the Election Commission of India has also given its approval for transfer of the petitioner, nevertheless, learned counsel submits that the transfer guidelines, more particularly, the new transfer guidelines which were issued by the Government in Government Order bearing No.ಸಿಆಸುಇ4ಸೇನೌವ 2026, Bengaluru dated 13.04.2026 mandate in terms of Clause 9 of the guidelines that before seeking the approval of the Hon'ble Chief Minister, the department has to place information in writing assigning the grounds or reasons for transfer, in matters of premature transfer. It is further contended that, Clause 9 also requires that post approval of the Hon'ble Chief Minister cannot be taken.



4. Prof. Sri Ravi Varma Kumar, learned Senior counsel appearing for respondent No.2 submits that for the purpose of consideration of the prayer for stay, the Tribunal has rightly considered the information placed by the Government Advocate before the Tribunal. The further question as to whether the approval granted by the Chief Minister and the Election Commission of India is in accordance with law or not are matters which are to be decided by going into the merits of the matter and not at this stage when the prayer for stay was considered by the Tribunal. In that view of the matter, learned Senior counsel submits that no infirmity can be found in the impugned order passed by the Tribunal.

5. Learned Additional Advocate General Sri.V G Bhanu Prakash appearing for respondent No.1 – State also supports the submission made by the learned Senior counsel.



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6. Having heard the learned counsel for petitioner, learned Senior counsel for respondent No.2 and learned Additional Advocate General for respondent No.1 and on perusing the petition papers, this Court is of the considered opinion that there is substance in the submission made by the learned Senior counsel appearing for respondent No.2. At this stage, when a prayer for stay is considered by the Tribunal, and *prima facie* material is placed by the respondents before the Tribunal, which is sufficient for the Tribunal to consider the interim prayer, at that stage, it is not required to go deeply into the merits of the matter. It should also be mentioned that having perused the memo filed by the Government Advocate and the material placed before the Tribunal, we find that approval of the Chief Minister has been granted and approval of the Election Commission of India is also granted for the purpose of transfer of the petitioner. The further question as to whether the approval granted by the Hon'ble Chief Minister is in compliance with the provisions



of the guidelines are matters which are required to be considered by the Tribunal after securing all relevant information and hearing the parties on merits. At this stage, when the prayer for stay was considered by the Tribunal, we do not find any infirmity in the impugned order, since *prima facie* material has been placed by the respondents before the Tribunal.

7. Learned Senior counsel Prof.Sri Ravi Varma Kumar has further stated that the matter has been listed before the Tribunal for Final Hearing. In that view of the matter, we are not inclined to accede to the prayer made by the learned counsel for the petitioner.

8. Accordingly, we proceed to **dismiss** the writ petition while reserving liberty to the parties to address all their arguments before the Tribunal on the merits of the matter. Any observation made during the course of this order shall not prejudice the case of either of the parties before the Tribunal.



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9. Having regard to the sensitivity of the matter, we expect the Karnataka State Administrative Tribunal to consider and dispose of the matter as expeditiously as possible and not later than two months from today.

**Sd/-
(R DEVDAS)
JUDGE**

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

GSR
List No.: 1 Sl No.: 42