



CNR: KAHC010733762025

NC: 2026:KHC:40084-DB
WP No. 33975 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF JULY, 2026

PRESENT

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

AND

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

WRIT PETITION NO.33975 OF 2025 (S-KSAT)

BETWEEN:

SMT. AMARAVATHI
W/O MUNIVENKATAPPA,
AGED ABOUT 61 YEARS,
RETD. ASSISTANT TEACHER,
KARNATAKA PUBLIC SCHOOL,
NARASAPURA, KOLAR,
RESIDING AT: NO.224,
1ST MAIN ROAD,
GULPET, KOLAR-563 101.

...PETITIONER

(BY SRI.KASHINATH J.D.,ADVOCATE)

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by G
SHREERAKSHA
Location: HIGH
COURT OF
KARNATAKA

AND:

1. STATE OF KARNATAKA
DEPARTMENT OF SCHOOL EDUCATION
AND LITERACY,
M.S.BUILDING,
BENGALURU-560 001
REPRESENTED BY ITS SECRETARY.
2. THE COMMISSIONER
DEPARTMENT OF SCHOOL EDUCATION
AND LITERACY,
NRUPATUNGA ROAD,
BENGALURU-560 001.



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3. THE JOINT DIRECTOR
DEPARTMENT OF SCHOOL EDUCATION,
BANGALORE DIVISION,
OFFICE OF THE COMMISSIONER FOR
SCHOOL EDUCATION,
NRUPATHUNGA ROAD,
BENGALURU-560 001.
4. THE DEPUTY DIRECTOR
DEPARTMENT OF SCHOOL EDUCATION,
KOLAR DISTRICT,
KOLAR-563 101.
5. THE HEAD MASTER
KARNATAKA PUBLIC SCHOOL,
NARASAPURA, KOLAR TALUK,
KOLAR DISTRICT-563 133.

...RESPONDENTS

(BY SRI.V SHIVA REDDY, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT OR DIRECTION IN THE NATURE OF CERTIORARI TO QUASH THE IMPUGNED ORDER DATED 25.09.2025 PASSED IN APPLICATION No.6238/2024 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, BENGALURU AS PER ANNEXURE-A, CONSEQUENTLY ALLOW THE APPLICATION No. 6238/2024 FILED BY THE PETITIONER TO MEET THE INTEREST OF JUSTICE AND DIRECTING TO COMPLY WITH THE RELIEFS SOUGHT BEFORE THE KSAT TO MEET THE INTEREST OF JUSTICE.



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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)

The petitioner is before this Court aggrieved by order
dated 25.09.2025 in Application No.6238/2024,
whereunder the petitioner's request for payment of
interest on the portion of back wages was disposed of.

2. Heard learned counsel Sri.Kashinath J D for the
petitioner and learned AGA Sri.V Shiva Reddy for the
respondents.

3. Learned counsel for the petitioner would submit
that the petitioner was dismissed from service by order
dated 15.05.2014, which was confirmed by appellate order
dated 20.10.2015. Those orders were the subject matter



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of application before the Tribunal in Application No.7279/2017. The said application came to be allowed quashing both the orders. As the Tribunal failed to grant back wages, the petitioner filed Review Application No.1/2022. The said Review Application was allowed on 12.04.2022 and the following order was passed:

"The applicant is entitled for reinstatement with immediate effect. The 1st respondent has to reinstate the applicant into service immediately and pay full salary to the applicant and other service benefits for the period from dismissal till the date of reinstatement to which she is legally entitled to. Time for compliance is four months from the date of receipt of copy of this order".

4. The Tribunal in the review held that the petitioner would be entitled for reinstatement and full salary and other service benefits from the date of dismissal till the date of reinstatement. As the said order was not complied, the petitioner filed contempt petition in CTA No.71/2023 before the Tribunal. Thereafter, the petitioner was paid a sum of Rs.70,71,383/- being back



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wages after deduction of income tax in a sum of Rs.4,89,295/-. The petitioner disputed and claimed that, still the respondents are due in a sum of Rs.2,60,000/- towards balance of back wages. The letter dated 22.07.2024 (Annexure-A17) from the DDPI would indicate that a sum of Rs.2,60,522/- would be paid on release of the fund. As the said amount was not released in time, the petitioner again approached the Tribunal in Application No.6238/2024 seeking for a direction to the respondents to consider her representation and to pay balance amount. The said application was disposed of with a direction to the respondents to release a sum of Rs.2,60,792/- being arrears of salary and the Tribunal observed that no interest is admissible on the said amount as it is salary arrears and not pensionary benefits. Questioning the portion of the order where interest is denied, the petitioner is before this Court in this writ petition.

5. At the out set, learned AGA files a memo enclosing documents to indicate that, as directed by the



Tribunal, a sum of Rs.2,60,792/- has already been paid to the petitioner on 15.12.2025 itself. The said memo along with documents is taken on record. In view of the payment in a sum of Rs.2,60,792/- to the petitioner, the only question which remains is as to whether the petitioner would be entitled for interest on the said amount of Rs.2,60,792/- for delayed period from March 2025 till 15.12.2025.

6. The petitioner would be entitled for interest. The observation made by the Tribunal that as the amount due to the petitioner is salary arrears and not pensionary benefit, as such, he would not be entitled for interest is not legally sustainable. Whether it is salary arrears or pensionary benefit, when the same is retained by the authorities without there being any valid reason, the person who is entitled for such benefit would be entitled for interest. When the authority withholds the amount due to a person who was legally entitled to such sum, such person would be entitled for reasonable rate of interest.



When a person is deprived of the use of his money to which he is legitimately entitled, such person has a right to be compensated by way of interest. The Hon'ble Apex Court in ***Union of India Vs. Justice S.S.Sandhawalia (Retd.) and Others*** reported in ***(1994)2 SCC 240***, it is held that once it is established that an amount legally due to a party was not paid, the party responsible for withholding the same must pay interest at a rate considered reasonable.

7. The petitioner was entitled for a sum of Rs.2,60,000/- and the respondents - authorities were expected to pay the said amount along with other arrears which were paid in March 2024. The only reason which could be gathered from the records is that there was dearth of funds. The dearth of fund cannot be a reason to denying payment to petitioner, who become entitled to such payment by virtue of the order of the Tribunal.



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8. In the above circumstances, we direct payment of interest to the petitioner at the rate of 6% p.a. from March 2024 to 15.12.2025 on a sum of Rs.2,60,792/-.

9. With the above, the writ petition stands ***disposed of.***

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

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

GSR
List No.: 1 Sl No.: 35