



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF JUNE, 2026

PRESENT

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

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

WRIT PETITION NO. 34678 OF 2024 (S-KSAT)

BETWEEN:

VINAYAK
S/O ASHOK SHIRAHTTI
AGED ABOUT 34 YEARS
R/AT 419, 5TH CROSS
YELAHANKA NEW TOWN
BENGALURU-560 064
PRESENTLY R/AT
NO.301,7TH MAIN,
RAVI KIRLOSKAR LAYOUT
TUMKUR ROAD
BENGALURU-56007

Digitally signed by
PANKAJ S
Location: HIGH
COURT OF
KARNATAKA

...PETITIONER

(BY SRI. NATARAJ G, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPTD BY THE PRINCIPAL SECRETARY
VIDHANA SOUDHA
DR. AMBEDKAR VEEDHI
BENGALURU-560 001.



2. THE DIRECTOR GENERAL AND INSPECTOR
GENERAL OF POLICE IN KARNATAKA
NO2, NRUPATHUNGA ROAD
BENGALURU-560 001.
3. THE POLICE COMMISSIONER
HUBLI-DHARWAD-580 004

...RESPONDENTS

(BY SRI. K.R. RAJENDRA, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO WRIT IN THE
NATURE OF CERTIORARI TO QUASH THE ORDER DATED
14/06/2024 BEING PASSED IN APPLICATION NO.5144/2023
ON THE FILE OF KARNATAKA STATE ADMINISTRATIVE
TRIBUNAL, AT BENGALURU AND CONSEQUENTLY ALLOW THE
APPLICATION NO.5144/2023 AND ETC.

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

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
and
HON'BLE MR. JUSTICE RAJESH RAI K



ORAL ORDER

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

The petitioner is before this Court under Articles 226 and 227 of the Constitution of India, questioning order dated 14.06.2024 in Application No.5144/2023, where under, the petitioner's prayer of mandamus to consider his representation dated 17.08.2022 (Annexure - A19) for consideration of his case for compassionate appointment has been rejected.

2. Heard the learned counsel Sri. Nataraj G., for the petitioner and learned Additional Government Advocate Sri. K.R. Rajendra, for the respondents.

3. It is the case of the petitioner that his father was working as Head Constable in police department and while in service he died on 10.08.2014. It is stated that the petitioner is said to have submitted an application seeking compassionate appointment on 06.08.2015. However, his application was not considered. As such, he



made repeated representations to the respondents to consider his case for compassionate appointment.

4. Learned counsel for the petitioner would specifically submit that the writ petitioner made representation dated 17.08.2022 (Annexure - A19) requesting the Authorities to consider his case for compassionate appointment. It is submitted that in the said representation, application of the petitioner dated 06.08.2015 is referred. However, he submits that the application of the petitioner was not considered and no endorsement was issued. Therefore, he was before the Tribunal.

5. Learned counsel would submit that the Tribunal committed an error in rejecting his application on the ground that the petitioner has not made out any ground to consider his case for compassionate appointment.

6. On the other hand, learned Additional Government Advocate would submit that the petitioner



has not made application within the time prescribed under Rule 5 of the Karnataka Civil Services (Appointment on Compassionate Ground) Rules, 1996. Further, he submits that the compassionate appointment cannot be claimed as a matter of right that too after more than 10 years. Thus, he would pray for dismissal of the writ petition.

7. Having heard the learned counsel for the parties and on perusal of the entire writ papers, we are not inclined to interfere with the order passed by the Tribunal for the following reasons:

8. In the State of Karnataka the compassionate appointment is governed by the Karnataka Civil Services (Appointment on Compassionate Ground) Rules, 1996, Rule 3 would state that the appointment on compassionate grounds under the rules shall not be claimed as a matter of right and shall not be given as a matter of course. Further, Rule 5 requires a dependent of a deceased government servant to make an application seeking



compassionate appointment within one year from the date of death of the government servant and as on the said date he must have attained age of 18 years.

9. In the instant case, the case of the petitioner is that his father who was working in the police department, died on 10.08.2014 and he is said to have made application on 06.08.2015. There is no evidence or documents to establish that the petitioner made application seeking compassionate appointment on 06.08.2015. Further, the petitioner made representation (Annexure - A19) only on 17.08.2022. Annexure - R2 would indicate that by letter dated 26.03.2019 the proposal of the petitioner is returned, noting that the petitioner has not made an application within prescribed time.

10. Be that as it may, the petitioner cannot seek appointment on compassionate ground as a matter of right. Furthermore, the petitioner is able to sustain himself



for nearly 10 years. The purpose and object of providing compassionate appointment is to sustain themselves on immediate death of government servant or to give financial support to the dependants of the Government servant. If the petitioner is able to survive for nearly 10 years, it is presumed that there is no need for compassionate appointment.

No merit, therefore, the writ petition stands ***dismissed.***

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

**SD/-
(RAJESH RAI K)
JUDGE**

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List No.: 1 Sl No.: 9