



CNR: KAHC010820112025

NC: 2026:KHC:49012-DB
WA No. 2032 of 2025



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

WRIT APPEAL NO. 2032 OF 2025 (S-RES)

BETWEEN:

1. SRI C R PRAMOD
S/O. RAMEGOWDA
AGED ABOUT 39 YEARS,
RESIDING AT CHANNAKERE VILLAGE,
JAKKANAHALLI POST,
ARAKERE HOBLI,
SRIRANGAPATNA TALUK,
MANDYA DISTRICT - 571807

...APPELLANT

(BY SRI. PHANIRAJ KASHYAP., ADVOCATE)

AND:

1. KARNATAKA POWER TRANSMISSION
CORPORATION LIMITED
(KPTCL) REPRESENTED BY ITS
MANAGING DIRECTOR,
KAVERI BHAVAN, K.G. ROAD,
BENGALURU 560 009.
2. THE CHIEF MANAGER,
(ADMINISTRATION AND
MAINTENANCE DIVISION),
CHAMUNDESHWARI ELECTRICITY
SUPPLY CORPORATION LIMITED,
A GOVERNMENT OF KARNATAKA UNDERTAKING,
CORPORATE OFFICE, CESC,

Digitally signed
by VASANTHA
KUMARY B K
Location: HIGH
COURT OF
KARNATAKA



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MYSURU-570017.

3. THE EXECUTIVE ENGINEER (ELE),
CHAMUNDESHWARI ELECTRICITY SUPPLY
CORPORATION LIMITED,
A GOVERNMENT OF KARNATAKA UNDERTAKING,
T.L. AND S.S. DIVISION,
PRASARANA BHAVAN,
2ND FLOOR, N.R. MOHALLA,
MYSURU-570007.
4. THE EXECUTIVE ENGINEER(ELE),
(CIVIL WORKS DIVISION),
KPTCL, MANDYA-570001.

...RESPONDENTS

(BY SRI. M C AMRUTHA VARSHINI., ADVOCATE FOR R1 TO R4)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE FINAL ORDER DATED 18/11/2025 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.17540/2025. CONSEQUENTLY, BE PLEASED TO ALLOW THE WRIT PETITION NO.17540/2025 AS PRAYED FOR, BY QUASHING THE IMPUGNED ENDORSEMENT BEARING NO.SESK/AAAND MAASAM/02/18/2024-25/35283 DATED 25/03/2025 (ANNEXURE-G TO THE WRIT PETITION) ISSUED BY THE RESPONDENT NO.2 ETC.

THIS APPEAL, COMING ON FOR FINAL DISPOSAL, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN



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ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

This intra-Court Appeal is directed against the judgment and order dated 18.11.2025 passed by the learned Single Judge in W.P. No.17540/2025, whereby the writ petition filed by the appellant challenging the endorsement dated 25.03.2025 issued by the Chief Engineer (Administration and Maintenance Division), Chamundeshwari Electricity Supply Corporation Limited, a Government of Karnataka undertaking (hereinafter referred to as 'the respondent-Corporation'), came to be dismissed.

2. The appellant had sought compassionate appointment upon the death of his brother, C.R. Pradeep, who was working as a Junior Engineer (Electrical) under the respondent-Corporation and died in harness on 14.06.2024. The application of the appellant for appointment on compassionate ground came to be rejected on the ground that, as on the date of making the application, the appellant had crossed the upper age limit of 38 years for appointment.



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3. The service conditions of the employees of the respondent-Corporation are governed by the Recruitment and Promotion Regulations, Employees (Probation) Regulations, and Employees (Seniority) Regulations, 1999, as amended from time to time. The said Regulations have been framed in exercise of the powers conferred under the Electricity (Supply) Act, 1948.

4. Regulation 5 of the said Regulations prescribes the age limit for appointment in the services of the Corporation. In the case of a person belonging to the Scheduled Caste/Scheduled Tribe or Other Backward Classes, the upper age limit prescribed is 38 years. It is not in dispute that the appellant belongs to the Other Backward Class and falls within Category-IIIA.

5. Appointment on compassionate grounds is separately governed by the Karnataka Electricity Board Employees' Recruitment (Appointment on Compassionate Grounds) Regulations, 1997, framed in exercise of the powers conferred under Section 79(c) read with Section 15 of the Electricity (Supply) Act, 1948.



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6. Regulation 3 prescribes the eligibility for appointment on compassionate grounds, while Regulation 4 prescribes the conditions governing such appointment. The relevant provisions of Regulations 3 and 4 are extracted hereunder:

3. Eligibility for appointment:-

(1) Appointment on compassionate grounds under these regulations shall not be claimed as a matter of right and shall not be given as a matter of course. It is entirely at the discretion of the Board.

(2) Appointment under these regulations shall be restricted to the dependent of a deceased Board employee in the following order of preference, namely:-

(a). Son;

(b) Unmarried daughter;

(c) Widow, if there are no Son/s and Unmarried daughter/s, or for any valid reason they are not willing to accept the appointment.

(3) Notwithstanding anything contained in any other law or regulations an adopted son or daughter of a deceased Board employee shall not be eligible for appointment under these regulations.



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4. Conditions of Appointment:-

Appointment on compassionate grounds under these Regulations shall be subject to the following conditions. namely:-

(1) The family of the deceased Board employee should be in a immediate financial crisis or destitution on account of the death of the employee.

Explanation:-

(a) Family of a deceased Board employee shall be considered to be in Zinancial crisis or destitution if the resurring monthly income of the family from all sources of all persons whether other family members shall less than the income living separately or jointly including earnings of prescribed by the Board from time to time. For calculating such monthly income, the income from family pension, interest earned on pensionary benefits shall be excluded;

(b) Recurring monthly income from all sources of the family for the purpose of this regulation shall be computed by the Head of the Office or the appointing authority;

(i) on the basis of the last annual property return filed by the deceased Board employee and if, for any reason, it is not available, on the basis of a certificate of income issued by a Revenue Officer not below the rank of Tahsildar; and

(ii) in case any member of the family of the deceased Board employee is employed in any State or Central Government Service or a Public or Private Sector Undertaking or a Private Establishment, on the basis of a certificate issued by his employer and in case such member is self employed, on the basis of certificate issued by a revenue officer not ' below the rank of Tahsildar,



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(2) Person seeking appointment shall be within the age limit specified for the post in the relevant regulations of recruitment specially made in respect of any service or post read with Regulation 5 of Chapter-II and Regulation 4 of Chapter-VI of KEB R&P Regulations, 1969 and where it is not so specified such person shall be within the age limits specified in the KEB R&P Regulations, 1959.

(3) Person seeking appointment should possess the minimum qualification specified for the post in the relevant regulations recruitment specially made in respect of any service or post.

(4) Appointment under these regulations shall be confined to the posts coming under Group 'C' and 'D' depending upon the qualification specified for the post and availability of vacancies.

(5) Appointment shall be made only against a direct recruitment vacancy, but for the purpose of calculation of quota between direct recruits and promotees it shall not be taken into account.

(6) Appointment under these regulations shall be considered only once for a family.

7. Regulation 3 of the 1997 Regulations came to be amended on 08.11.2021 vide Annexure-E, whereby an unmarried brother or sister of a deceased employee was also made eligible for appointment on compassionate grounds, subject to fulfilment of the conditions prescribed therein. Regulation 5 requires an application for appointment on



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compassionate grounds to be made within one year from the date of death of the employee. In the case of a minor, the application is required to be made within one year from the date of attaining majority.

8. Regulation 8 of the 1997 Regulations makes applicable the other Regulations and conditions of service governing the employees of the Corporation. Insofar as the question of age is concerned, the same is governed by the applicable provisions of the Recruitment Regulations, as per the provisions of Karnataka Electricity Board Recruitment and Regulations, 1969.

9. Regulation 17 of the Karnataka Electricity Board (Recruitment and Promotion) Regulations, 1969 confers power upon the competent authority to grant relaxation of age in appropriate individual cases, where the authority is satisfied that such relaxation is justified in the circumstances of the particular case.

10. Learned counsel appearing for the appellant submits that the appellant's application has been rejected



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solely on the ground that he had crossed the prescribed upper age limit by four months and three days as on the date of making the application for compassionate appointment. It is contended that the learned Single Judge did not examine the question as to whether the competent authority was required to consider the appellant's request for age relaxation in exercise of the power available under the applicable Recruitment Regulations. Learned counsel submits that, if the appellant otherwise fulfils the eligibility criteria and conditions prescribed for appointment on compassionate grounds under Regulations 3 and 4 of the 1997 Regulations, the question of age relaxation ought to have been considered by the competent authority instead of rejecting the application at the threshold solely on the ground of age.

11. Reliance is placed on the judgment of the Supreme Court in **Canara Bank v. AjithKumar G.K., 2025 SCC OnLine SC 290.**

12. Per contra, learned counsel appearing for the respondent-Corporation submits that the appellant had failed to furnish the documents required to establish his eligibility. It is



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submitted that, by communication dated 10.07.2024 (Annexure-C), the appellant's mother was called upon to furnish twelve documents. According to the respondent-Corporation, the requisite documents were not furnished and, consequently, the appellant had not established fulfilment of the eligibility conditions and other requirements prescribed under Regulations 3 and 4. It is therefore, contended that, unless the appellant first establishes his eligibility for compassionate appointment by furnishing the requisite documents, the question of granting age relaxation would not arise and he states that learned Single Judge has rightly dismissed the writ petition.

14. We have considered the submissions and perused the judgment as well as the impugned endorsement dated 25.03.2025 issued by the respondent-Corporation.

15. A perusal of the impugned endorsement does not disclose that the appellant's application was rejected on the ground that he was not eligible under Regulation 3 or that he had failed to fulfil the conditions prescribed under Regulation 4 of the 1997 Regulations. The only ground stated in the



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endorsement is that the appellant had crossed the prescribed age limit.

16. The question, therefore, is whether the appellant's application could have been rejected at the threshold solely on the ground of age, without examining whether he otherwise satisfied the eligibility criteria and conditions for appointment on compassionate grounds and, if so, whether his case warranted consideration for age relaxation under the applicable Regulations.

17. The Supreme Court in **Canara Bank v. AjithKumar G.K.** (supra) at paragraph 35 has held that once the candidate fulfils the eligibility criteria and meets the conditions of the appointment, if there is a power vested with the competent authority to grant relaxation of age, the question of such relaxation is required to be considered thereafter by the competent authority.

18. In the present case, the appellant is stated to have exceeded the prescribed age only by four months and three days on the date of making the application and the same has



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been rejected. From the impugned endorsement, except for this ground, no other ground is discernible.

19. We are, therefore, of the considered view that the impugned endorsement dated 25.03.2025, insofar as it rejects the appellant's application solely on the ground of his having crossed the prescribed age limit, cannot be sustained. Consequently, the judgment and order dated 18.11.2025 passed by the learned Single Judge in W.P. No.17540/2025 also cannot be sustained and is liable to be set aside. Accordingly, we pass the following:

ORDER

- i. The writ appeal is ***allowed***.
- ii. The judgment and order dated 18.11.2025 passed in W.P. No.17540/2025 is set aside. Consequently, the writ petition is allowed and the endorsement dated 25.03.2025 issued by respondent No.2 is quashed.
- iii. The matter is remitted to respondent No.2/competent authority for fresh consideration of the appellant's application for appointment on compassionate grounds.
- iv. The appellant is granted 15 days from the date of receipt of a copy of this order to furnish all the documents called for under Annexure-C before the competent authority.



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v. Upon receipt of the said documents, the competent authority shall examine whether the appellant fulfils the eligibility criteria and satisfies the conditions prescribed under Regulations 3 and 4 of the applicable Appointment on Compassionate Grounds Regulations, 1997.

vi. If the competent authority finds that the appellant otherwise fulfils the eligibility criteria and conditions for appointment on compassionate grounds, the competent authority shall thereafter consider the appellant's case sympathetically for age relaxation in terms of the applicable Recruitment Regulations, including the power vested under Regulation 17, in accordance with law.

vii. Such consideration should be accorded within one month from the date on which the appellant furnishes the requisite documents mentioned in Annexure-C.

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

**Sd/-
(H.SHANTHI BHUSHAN)
JUDGE**