HC-KAR

NC: 2026:KHC:62282-DB
CCC No. 64 of 2026

CNR: KAHC010039482026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF NOVEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MRS. JUSTICE N.V.BHAVANI

CIVIL CONTEMPT PETITION NO.64 OF 2026

BETWEEN:

1. SRI. PRABHU DEV
S/ORAMESHWARAPPA,
AGED ABOUT 43 YEARS,
WORKING AS SOCIAL SCIENCE TEACHER,
CHILDREN MEMORIAL HIGH SCHOOL,
MOHAN KUMAR NAGAR, YESHWANTHPUR,
BENGALURU NORTH, BENGALURU – 560022.

2. SMT. GAYATHRI K S
W/O BASAVARAJ,
AGED ABOUT 37 YEARS,
WORKING AS SCIENCE TEACHER, CHILDREN
CHILDREN MEMORIAL HIGH SCHOOL,
MOHAN KUMAR NAGAR, YESHWANTHPUR,
BENGALURU NORTH, BENGALURU – 560022.

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Location: HIGH COURT OF KARNATAKA

3. SMT. DEEPA HS
W/O UMESH CHANDRA,
AGED ABOUT 34 YEARS,
WORKING AS MATHS TEACHER,
CHILDREN MEMORIAL HIGH SCHOOL,
MOHAN KUMAR NAGAR, YESHWANTHPUR,
BENGALURU NORTH, BENGALURU – 560022.

4. SRI. KOTRESH GOWDA
S/OSHIVANNE GOWDA,
AGED ABOUT 38 YEARS,

WORKING AS ENGLISH TEACHER,
CHILDREN MEMORIAL HIGH SCHOOL,
MOHAN KUMAR NAGAR, YESHWANTHPUR,
BENGALURU NORTH, BENGALURU – 560022.

5. SRI. MADHU H B
S/O BELURE GOWDA,
AGED ABOUT 36 YEARS,
WORKING AS PHYSICAL EDUCATION TEACHER,
CHILDREN MEMORIAL HIGH SCHOOL,
MOHAN KUMAR NAGAR, YESHWANTHPUR,
BENGALURU NORTH,
BENGALURU – 560022.

…COMPLAINANTS

(BY SRI. VIJAYA RAGHAVA SARATHY H.M.,ADVOCATE)

AND:

1. SMT. RASHMI MAHESH
SECRETARY,
DEPARTMENT OF SCHOOL
EDUCATION AND LITERACY,
THE STATE OF KARNATAKA
M.S. BUILDING, BENGALURU – 560001

2. SRI. VIKAS KISHOR SURALKAR
THE COMMISSIONER,
DEPARTMENT OF SCHOOL
EDUCATION AND LITERACY,
M.S. BUILDING, BENGALURU-560001.

3. SRI . KRISHNAJI S.KARICHANNAVARA.
THE DIRECTOR (SECONDARY EDUCATION) DEPARTMENT
OF SCHOOL
EDUCATION AND LITERACY,
NRUPATHUNGA ROAD, BENGALURU – 560001.

4. SHRI ANJANAPPA
THE DEPUTY DIRECTOR (ADMINISTRATION) DEPARTMENT

OF SCHOOL
EDUCATION AND LITERACY,
BENGALURU NORTH DISTRICT,
BENGALURU – 560009.

5. SMT. LATHAMANI
THE BLOCK EDUCATION OFFICER
DEPARTMENT OF SCHOOL
EDUCATION AND LITERACY,
NORTH ZONE-2, MALLESWARAM,
BENGALURU - 560018.

…ACCUSED

6. THE STATE OF KARNATAKA
REP BY ITS CHIEF SECRETARY,
GOVT. OF KARNATAKA VIDHANA SOUDHA
BENGALURU - 560 001

….PROFORMA RESPONDENT

(BY SMT. B. SUKANYA BALIGA AGA FOR PROFORMA R6 & A1-A5)

THIS CCC IS FILED UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURT ACT, 1971 R/W ARTICLE 215 OF THE CONSTITUTION OF INDIA, WHEREIN PRAYS THAT THE HONBLE COURT BE PLEASED TO INITIATE CONTEMPT PROCEEDINGS AGAINST THE ACCUSED FOR HAVING DELIBERATELY INTENTIONALLY AND WILLFULLY DISOBEYED TO CARRY OUT THE BINDING DIRECTIONS PASSED BY THIS HON'BLE COURT IN W.P.NO.13034/2024 C/W W.P.NO.15034/2024 DATED 24.07.2024 AND CONFIRMED BY THE DIVISION BENCH IN WA NO.552/2025 DATED 09.10.2025 (ANNEXURE-A ND B) AND DEAL WITH THE ACCUSED IN ACCORDANCE WITH LAW AND PUNISH THEM BY IMPOSING EXEMPLARY COSTS OF THIS PROCEEDINGS.

THIS PETITION, COMING ON FOR HEARING ON FRAMING OF CHARGES, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CNR: KAHC010039482026

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
AND
HON'BLE MRS. JUSTICE N.V.BHAVANI

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Heard learned counsel for the parties.

2. Learned AGA has filed a compliance affidavit today in Court, which is taken on record. Wilful disobedience of the order dated 24.07.2024 passed in W.P.No.13034/2024 c/w W.P.No.15034/2024 as confirmed by the order dated 09.10.2025 in W.A.No.552/2025, is alleged. In the order of the writ court it was observed as follows:

> *"11. When queried, both Sri M P Srikanth and Sri Vijaya Raghava Sarathy H M submit that the respective documents would be furnished with the DPIA at the earliest, and in any event, within four weeks from today. This submission is also be taken on record. This Court is of the considered view that the DPIA will have to consider these documents and follow due process for release of grant-in-aid and that there must be simultaneous initiation of procedure that is contemplated under Rule 11 of the 1999 Rules.*
>
> *12. It is submitted that either the DPIA or the Commissioner, Department of School Education and Literacy, Bengaluru [CDSE] would be the competent*

authority to initiate this procedure depending upon the vacancy within the District and otherwise. In the circumstances, there must be specific directions in this regard as well while also observing that subject to such procedure, a working arrangement could be made so that the Petitioners-Teachers are engaged and are paid salaries accordingly. Hence the following:

Order

(a) The petitions stand disposed of calling upon both the Teachers and the Management to file necessary documents/service records with the DPIA for verification of those documents.

(b) The DPIA shall consider these documents and pass orders for release of salary grant before 31.12.2024.

(c) The DPIA is directed, upon receipt of a certified copy of this order, to initiate procedure for petitioner's allocation as against the vacancies if available within the District, and otherwise, to forward appropriate recommendations to the CDSE for Teachers' allocation otherwise.

(d) The DPIA is directed to complete this exercise, which shall be subject to verification of release of grant-in-aid salary, expeditiously but on or before 31.12.2024.

(e) The Teachers are reserved with liberty to file a certified copy of this Order with both the DPIA and the CDSE for due compliance within four [4] weeks from the date of receipt of a certified copy of this Order.

(f) The DPIA is directed to verify and inform the petitioners about the possible interim working arrangement within a period of eight [8] weeks."

3. In the writ appeal the following directions were issued:

> "*3. However, we direct the State to issue notice to the respondents herein for verification of their claims and also summon the records from the concerned Department inasmuch as the respondents were working in the Institution during the grant-in-aid period, which is now closed from 2024-2025.*
>
> *4. After verifying the credentials of the respondents, the State Government should take appropriate steps for their deployment, wherever there is a requirement of Teachers. The said exercise must be concluded within a period of one month from today.*
>
> *5. For the period during which the respondents were working and not paid, the State has to ensure payment of their salary for the said period before the date when Institution was closed."*

4. In the compliance affidavit filed today, it is stated as follows:

> *"11. Further, as per the direction of this Hon'ble Court, the Director, Department of School Education (Secondary), K.R. Circle, Bengaluru has issued an Official Memorandum dated 05.11.2026 bearing No.C8 (5) DSE Notice 1315176/2023-24 regarding of permanent Deployment of 5 Teachers of Children Memorial High School, Mohan Kumar Nagara, Yeshwanthpura, run by the Management Board of Sri Hanuman Education Centre, Bandeppa Compound, Yeshwanthpura Bengaluru. Copy of the Official Memorandum dated 05.11.2026 along with English Translation is produced herewith as* ***ANNEXURE – R8****.*

> *12. I further state that after issuing of permanent Deployment of Teachers, on 05.11.2026 the Movement Order has been issued to the teachers to report before the schools mentioned in the said order. After receipt of the same, the teachers have reported to the duty as mentioned places against their names in the Movement order. Further, in the said order dated 05.11.2026, a direction has been issued to concerned authorities to release the salary along with monetary benefits from the date of reporting to the duty in the said school. In view of the same, the order of the Hon'ble Court has been fully complied with. Copy of the movement order dated 06.11.2026 along with English Translation is produced herewith as* ***ANNEXURE – R9****."*

5. This compliance affidavit has been filed by Sri.K.J.Anjanappa, the Deputy Director of School Education (Administration), who has also tendered his unconditional apology. Along with the said affidavit, a Memorandum dated 05.11.2026 issued by the Director of Secondary Education is enclosed. After reciting the judgments of the writ court as well as in this contempt petition, it is noted as follows:

> *"As per the judgments in W.P.Nos. 13034/2024 (S-RES) c/w W.P.No.15034/2024 (EDN-RES) and WA 552/2025, and upon the recommendation of the Deputy Director (Administration), Department of School Education, Bengaluru North District, instructions were issued to deploy the teachers of Children Memorial High School, Mohan Kumar Nagar, Yeshwanthpur, Bengaluru (run by the management board of Sri Hanuman Education Centre, Bandeppa Compound, Yeshwanthpur,*

Bengaluru) to schools that have provided No Objection Certificates. Regarding the release of the first salary to the said teachers, instructions were given to review the available documents submitted by the teachers/school management board as per the rules, obtain proposals from the respective school management boards, and take action to release the first salary. For teachers without No Objection Certificates, immediate action must be taken to make Working Arrangements as per the rules. Furthermore, a sworn affidavit on stamp paper must be obtained from the said teachers stating that their deployment is subject to the final judgment of the cases filed in the Hon'ble High Court, and this must be preserved.

Acting upon the order (13), the Deputy Director (Administration), Bengaluru North District, submitted a proposal requesting approval for the deployment of the teachers who were working in Children Memorial High School (run by the management board of Hanuman Education Centre, Bandeppa Compound, Yeshwanthpur, Bengaluru), and for the payment of their salary arrears.

In light of the above points, the following order is issued regarding the deployment and salary payment of the teachers admitted to salary grant at Children Memorial High School, Mohan Kumar Nagar, Yeshwanthpur, Bengaluru, run by the management board of Sri Hanuman Education Centre, Bandeppa Compound, Yeshwanthpur, Bengaluru.

Order: *As per the facts detailed in the proposal, and in accordance with WRIT PETITION NO. 13034 OF 2024 (S-RES) and WA 552/2025, approval is granted for the permanent deployment of the following teaching staff who were working under salary grant in Children Memorial High School, Mohan Kumar Nagar, Yeshwanthpur (run by the management board of Sri Hanuman Education Centre, Bandeppa Compound, Yeshwanthpur, Bengaluru). This deployment is subject to the conditions mentioned below and shall come into effect from the date of issue of this order.*

Sl. No	Teacher's Name Sri/Smt.	Date of Birth	Educational Qualification	Pay Scale	Name of the Deployed School
1	Prabhudeva K.R. Assistant Teacher (Arts)	17-03-1981	B.A. B.Ed	54175-99400	Nalanda Educational Institution, Kanchipura, SrirampuraHobli, Hosadurga Taluk, Chitradurga District
2	Deepa H.S. Assistant Teacher (PCM)	10-07-1989	B.Sc. B.Ed	54175-99400	Balagangadhar Tilak High School, L.J. Ramanna Layout, Laggere, Bengaluru-58
3	Kotreshgowda G.S. Assistant Teacher (English)	25-07-1985	B.A. B.Ed	54175-99400	Sri Uma Pragathi High School, Chinnikatte, Nyamathi Taluk, Davanagere District
4	Gayathri K.S. Assistant Teacher (CBZ)	04-06-1986	B.Sc. B.Ed	54175-99400	Sri Gangadhareshwara High School, Bagalakunte, North Zone-4, Bengaluru North District
5	Madhu H.B. Physical Education Teacher	20-08-1987	B.A. B.P.Ed	54175-99400	Gramanthara Composite P.U. College (High School Section), Bychanahalli, Arakalagudu Taluk, Hassan District

-: Conditions :-

1. *The candidates being appointed must verify once again that they possess the educational qualifications prescribed in the Government Notification No: ED 291 LBP 2015 Date: 29/09/2016.*

2. *The school must maintain the prescribed number of student enrollment/attendance, and all basic facilities must be mandatorily provided.*

3. *The subject compatibility must align with the model staff structure as prescribed under the Karnataka Educational Institutions (Terms and Conditions of Service of Employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999.*

4. *There should be no litigation whatsoever regarding the ownership of the management board. If any such litigations exist, appointments under this order will not be eligible for grant-in-aid approval.*

5. *The appointed teachers must take measures to achieve a high pass percentage in the SSLC examination in their respective teaching subjects, as per government orders and departmental rules.*

6. *The approval of the said teachers' appointments shall be subject to the conditions or instructions issued by the Government/Department from time to time.*

7. *The department reserves the right to cancel the order with immediate effect if any documents provided for the approval of these appointments are found to be false.*

8. *The information in Annexure-1 and Annexure-2, prescribed in the Government Order dated 12/04/2006, must be verified again. The salary release order should be issued only after confirming that the information is correct.*

9. *The management board must process the appointment approval of these employees according to Paragraph-8 of the new pension scheme order in Government Order No: FD [SPL] 04 PET 2005 Date: 31/03/2006.*

10. *The probationary service period must be completed as per Rule-7, Chapter-2, Rule-7 of the Terms and Conditions of Service of Employees in Private Educational Institutions Rules, 1999, of the Karnataka Education Act, 1983.*

11. *Genuineness of the teachers' educational qualification certificates must be obtained from the concerned authority. Following this, an order should be issued after*

obtaining permission from the Zilla Panchayat for the release of the first salary.

12. *The school management board of the school where the said teachers are deployed must take action to release the salary arrears, after confirming the period they worked from the date they were admitted to salary grant (Date: 20-07-2023) up to their last working day.*

13. *Appropriate orders regarding the release of salary must be obtained from the Zilla Panchayat Chief Executive Officer of the concerned district, and action must be taken to release the first salary. The Deputy Director and the Block Education Officer of the concerned district shall take action in this regard.*

14. *This case is being issued in the context of the Hon'ble Court's judgment, and this case shall not be considered a precedent for other cases.*

15. *The deployment of the said teachers is subject to the final judgment of the cases filed in the Hon'ble High Court."*

6. The learned AGA states that in view of the aforesaid, order of the writ court is complied with.

7. We note that direction was issued to the DPIA to initiate procedure for petitioner's allocation as against the vacancies if available within the District, and otherwise, to forward appropriate recommendations to the CDSE for Teachers' allocation. The DPIA was further directed to complete that exercise, which would be subject

to verification of release of grant-in-aid salary, expeditiously but on or before 31.12.2024. The conditions of the order passed by the Director, Secondary Education on 05.11.2026 reflects that the School Management Board of the school, where the said teachers are deployed, must take action to release the salary arrears after confirming the period they worked from the date they were admitted to salary grant (dated 20.07.2023) upto their last working day.

8. In view of the aforesaid Memorandum 05.11.2026, which is also followed by a movement order in favour of 2 complainants dated 06.11.2026, we **consign** this petition leaving it open to the petitioner to revive this petition in case the movement orders of other 3 complainants are not promptly issued.

9. Applications are filed by the accused No.1 and the accused No.2 under Section 228 of the Bharatiya Nagarika Suraksha Sanhitha, 2023 seeking exemption

from personal appearance. For the reason stated in the applications, we deem it fit to allow the applications. They are accordingly allowed.

10. All other pending applications stand disposed of.

SD/-
(JAYANT BANERJI)
JUDGE

SD/-
(N.V.BHAVANI)
JUDGE

DR
List No.: 1 Sl No.: 47