HC-KAR
NC: 2026:KHC:62200
WP No. 6416 of 2026
CNR: KAHC010142082026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 6416 OF 2026 (S-KSRTC)

BETWEEN:

SRI. GOPI JADAV
S/O. LATE M. R. JADAV
AGED ABOUT 54 YEARS
WORKING AS KST HAVALDAR
K.R. NAGAR DEPOT
K.S.R.T.C. MYSORE RURAL DIVISION
MYSORE-570 007.

...PETITIONER

(BY SRI. SRINIVASA K., ADVOCATE)

AND:

1. DIVISIONAL CONTROLLER
   K.S.R.T.C. MYSORE RURAL DIVISION
   BANNIMANTAPA ROAD, MYSORE-570 001.

2. THE ASSISTANT ADMINISTRATIVE OFFICER
   K.S.R.T.C. MYSORE RURAL DIVISION
   BANNIMANTAPA ROAD, MYSORE-570 001.

3. SRI. D. PUTTASWAMY
   AGED ABOUT 56 YEARS
   WORKING AS ASST. SECURITY INSPECTOR
   MYSORE RURAL DIVISION OFFICE
   BANNIMANTAPA ROAD, MYSORE-570 001.

4. SRI. GAYAZ SHARIFF
   AGED ABOUT 51 YEARS
   WORKING AS ASST. SECURITY INSPECTOR

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HAREKOPPA THIMMANNA GOWDA

MYSORE SUB-URBAN BUS STAND
K.S.R.T.C., MYSORE-570 001.

…RESPONDENTS

(BY SMT. RENUKA H.R., ADVOCATE FOR R1 & R2:
R3 & R4 ARE SERVED AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DECLARE THAT THE PETITIONER IS SENIOR TO RESPONDENT NOS.3 AND 4 AND CONSEQUENTLY DIRECT THE RESPONDENT NOS. 1 AND 2 TO PROMOTE THE PETITIONER TO THE NEXT HIGHER CADRE OF ASSISTANT SECURITY INSPECTOR TO BE EFFECTIVE FROM THE DATE OF PROMOTION OF RESPONDENT NO.3 WITH ALL OTHER CONSEQUENTIAL BENEFITS AND ETC.

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

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

1. In this writ petition, the petitioner sought for the following reliefs:

i) Declare that the Petitioner is senior to Respondent Nos.3 and 4 and consequently direct the Respondent Nos. 1 and 2 to promote the Petitioner to the next higher cadre of Assistant Security Inspector to be effective from the date of promotion of Respondent No.3 with all other consequential benefits.

ii) Issue a Writ of Mandamus directing the Respondent Nos.1 and 2 to restore the seniority of the Petitioner above the Respondent Nos.3 and 4 and to promote the Petitioner to the cadre of Assistant Security Inspector, to re-fix his seniority appropriately in the above cadre and to direct the

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Respondent No.1 and 2 to pay all the consequential benefits including the difference and arrears of salary in the promoted post.

iii) Issue such other Writ or Order or Direction as this Hon'ble Court may deem fit to pass under the facts and circumstances of the case to meet the ends of justice and equity.

2. The case of the petitioner is that he was appointed as a Security Guard in the respondent-Corporation on 24.05.1992. Thereafter, respondent Nos.3 and 4 joined the service in the same cadre on 21.09.1992. The petitioner was promoted to the next higher cadre of Senior Security Guard in the year 2010 and subsequently to the post of KST Hawaldar in the year 2013. Respondent Nos.3 and 4 are presently working as Assistant Security Inspectors. According to the petitioner, he is senior to respondent Nos.3 and 4. However, despite being senior to them, respondent Nos.3 and 4 have been promoted to the post of Assistant Security Inspector, whereas the petitioner's case has not been considered for promotion to the said post. Hence, the petitioner is before this Court.

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3. Learned counsel appearing for respondent Nos.1 and 2-Corporation submits that the respondent-Corporation has issued an endorsement dated 27.08.2024, vide Annexure-D, stating that, as on the date of consideration of the cases of respondent Nos.3 and 4 for promotion to the post of Assistant Security Inspector, the petitioner was undergoing a penalty imposed pursuant to a departmental enquiry. Therefore, his case was not considered for promotion. She further submits that, in a subsequent departmental enquiry, another penalty has been imposed on the petitioner, which remains in force until December 2026.

4. Learned counsel appearing for the petitioner submits that the petitioner's case may be considered for promotion upon completion of the period of penalty, subject to the availability of a vacancy in the said cadre.

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5. In view of the above submissions, without expressing any opinion on the merits of the case, this Court passes the following:

ORDER

a) The writ petition is disposed of.

b) Liberty is reserved to the petitioner to submit a representation to the respondent-Corporation seeking consideration of his case for promotion to the post of Assistant Security Inspector after completion of his penalty period.

c) If such a representation is submitted, the respondent-Corporation shall consider the same in accordance with law.

d) All pending I.As., if any, are disposed of.

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(H.T. NARENDRA PRASAD)
JUDGE

DM
LIST NO.: 1 SL NO.: 30