HC-KAR

NC: 2026:KHC:60057-DB
WP No. 26305 of 2025

CNR: KAHC010569702025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

PRESENT

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

AND

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO.26305 OF 2025 (S-CAT)

BETWEEN:

GOPAL M.,
S/O RAMASWAMY
AGED ABOUT 57 YEARS,
RETIRED AS SUB DIVISIONAL ENGINEER,
BSNL DTC, O/O DIVISIONAL ENGINEER,
TRANSMISSION MAINTENANCE,
BELLARY - 583101,
RESIDING AT HOUSE NO.16
UTTAMCHAND BADAVANE
AVARAGERI,
DAVANGERE - 577004.

...PETITIONER

(BY SRI. RADHAKRISHNA HOLLA A., ADVOCATE)

Digitally signed by AASEEFA PARVEEN
Location: HIGH COURT OF KARNATAKA

AND:

1. UNION OF INDIA
   BY SECRETARY
   DEPARTMENT OF COMMUNICATIONS
   MISNISTRY OF COMMUNICATIONS
   SANCHAR BHAVAN, N0. 20, ASHOKA ROAD,
   NEW DELHI - 110001.

2. THE SENIOR SECTION OFFICER (PENSION)
   O/O PRINCIPAL CONTROLLER
   OF COMMUNICATION

TAMILNADU CIRCLE,
CHENNAI - 600 008.

3. THE CHIEF ACCOUNTS OFFICER,
O/O PRINCIPAL GENERAL
MANAGER (MAINTENANCE)
BSNL, SOUTHERN TELECOM REGION,
3RD FLOOR, SANCHAR COMPLEX,
VMS COMPOUND, 47TH CROSS,
9TH MAIN, 5TH BLOCK, JAYANAGAR,
BENGALULRU - 560041.

…RESPONDENTS

(BY SRI. N. AMARESH, ADVOCATE FOR R1 TO R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OR ORDER OR DIRECTION QUASH THE ORDER DATED 11.01.2024 PASSED BY THE CAT IN OA/170/00453/2021 ANNEXURE-A AND ALLOW THE OA/170/0453/2021 GRANTING THE PRAYERS OF THE PETITIONER THEREIN WITH THE CONSEQUENTIAL BENEFITS.

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 CHILLAKUR SUMALATHA

CNR: KAHC010569702025

ORAL ORDER

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

Heard learned counsel Sri.Radhakrishna Holla A., for the petitioner and learned counsel Sri.Amaresh, for the respondents.

2. Before hearing the matter on merit, learned counsel Sri.Amaresh points out from the impugned order that the petitioner had given up the other prayers except prayer for quashing recovery proceedings. In that regard, para 3 of the Tribunal order reads as follows:

> *"3. Learned counsel Shri P.Mohana Chandra representing the applicant submitted that though multiple reliefs are claimed in the OA, this OA could be restricted to the recovery proceedings proposed from the 4th installment of Ex-gratia to recover a sum of Rs.2,73,493/- consequent on revision of pay as contemplated in Annexure-A7. Thus, the other reliefs claimed in the OA are not pressed."*

3. In the above circumstances, learned counsel Sri.Radhakrishna Holla would submit that he would approach the CAT and seek review of the said portion of the order and he seeks permission to withdraw the writ petition with liberty to approach this Court in case the CAT fails to entertain the prayer of the petitioner.

4. The submission of the learned counsel for the petitioner is placed on record. Writ Petition is dismissed as withdrawn, with liberty as sought.

Sd/-
(S.G.PANDIT)
JUDGE

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

AP
CT:TSM
List No.: 1 Sl No.: 27