HC-KAR

NC: 2026:KHC:55999
WP No. 30403 of 2026

CNR: KAHC010662112026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 30403 OF 2026 (S-RES)

BETWEEN:

1. SRI M RAJU
   S/O MUNIYAPPA,
   AGED ABOUT 57 YEARS,
   OCC: "D GROUP"
   WORKING AT ST EUPHRASIA'S GIRLS HIGH SCHOOL
   ASHOK NAGAR, BENGALURU CENTRAL,
   BENGALURU - 560 025

2. SRI. BASAVARAJU H
   S/O OBALAIAH,
   AGED ABOUT 57 YEARS,
   OCC: "D GROUP"
   WORKING AT SHREE BASAVESHWARA RURAL HIGH SCHOOOL
   TOTAGERE, BENGALURU NORTH - 562 123,

3. SRI. GOPAL K
   S/O KRISHNAPPA,
   AGED ABOUT 57 YEARS,
   OCC: "ASSISTANT TEACHER"
   WORKING AT ST JOSEPH CONVENT
   KANNADA HIGH SCHOOL
   WHITEFIELD, BENGALURU SOUTH,
   BENGALURU - 560 066

Digitally signed by VIDYA G R
Location: HIGH COURT OF KARNATAKA

4. SMT. B. PARVATHI
W/O MAHALINGA BHAT P.,
AGED ABOUT 64 YEARS,
OCC. RETD ASSISTANT TEACHER,
AT VIDYA NIKETAN HIGH SCHOOL,
MATADAHALLI, BANGALORE,
BANGALORE NORTH RANGE - 3,
BENGALURU - 560 032.

5. SRI. H.V. PANKAJA
W/O LATE S.N. GOPINATH,
AGED ABOUT 65 YEARS,
OCC: RETD ASSISTANT TEACHER,
AT VIDYA NIKETAN HIGH SCHOOL,
MATADAHALLI, BANGALORE,
BANGALORE NORTH RANGE - 3,
BENGALURU - 560 032.

6. SRI. GOVINDAIAH N
S/O LATE NARAYANAPPA,
AGED ABOUT 60 YEARS,
OCC. RETD ASSISTANT TEACHER,
AT VIDYA NIKETAN HIGH SCHOOL,
MATADAHALLI, BANGALORE,
BANGALORE NORTH RANGE - 3,
BENGALURU - 560 032.

7. SRI. SRINIVASA
S/O VENKATAIAH,
AGED ABOUT 52 YEARS,
OCC. S.D.A, WORKING AT NIRMALA GIRLS HIGH
SCHOOL, ST. THAMAS TOWN, LINGARAJAPURAM,
BANGALORE TALUK,
BENGALURU - 560 084.

8. SRI. MAHESHWARAPPA K.
S/O VEERABHDRAPPA K.,
AGED ABOUT 65 YEARS,
OCC. RETIRED "ASSISTANT MASTER"
AT RESURRECTION HIGH SCHOOL,
INDIRANAGAR 1ST STAGE 1ST CROSS,
BANGALURU NORTH - 03,
BENGALURU 38

R/AT NO. 234, 1ST FLOOR, NHIG D6,
SHIVAMANDIR ROAD YALAHANKA NEWTOWN,
BANGALURU NORTH - 560 064

9. SRI. H.R. PRABHAKAR
S/O H. RAMAKRISHNA,
AGED ABOUT 66 YEARS,
OCC: "RETD P.E. TEACHER"
AT RESURRECTION HIGH SCHOOL,
INDIRANAGAR 1ST STAGE 1ST CROSS,
BENGALURU NORTH-03,
BENGALURU - 38,
R/A DOOR NO.252 GULPET,
NEAR CHAMUNDI TEMPLE
KOLAR TALUK, KOLAR DISTRICT - 5631016.

10. SRI. ESHWARAPPA G.P.
S/O PUTTAIAH,
AGED ABOUT 62 YEARS,
OCC. RETIRED SDA,
AT SREE AMBIKA KANNADA HIGH SCHOOL,
JAI MARUTHI NAGARA,
NANDINI LAYOUT,
BENGALURU - 560 096.

11. SRI. S. MAHADEVAIAH,
S/O LATE SHIVANNA,
AGED ABOUT 57 YEASRS,
OCC. ASSISTANT TEACHER,
WORKING AT SREE AMBIKA KANNADA HIGH SCHOOL,
JAI MARUTHI NAGARA, NANDINI LAYOUT,
BENGALURU - 560 096.

12. SMT. PUSHPALATHA
W/O LATE S. RAVINDRA,
AGED ABOUT 59 YEARS,
OCC. ASSISTANT TEACHER WORKING AT VIDYANIKETAN HIGH SCHOOL,
MATADHALLI BENGALURU NORTH-03,
R.T. NAGAR POST, BENGALURU - 32.

13. D. ANTHONY ELIZABRTH
W/O S. RICHARD MATHEWS,
AGED ABOUT 63 YEARS,
OCC: :"RETD CRAFT TEACHER"
AT VIDYANIKETAN HIGH SCHOOL, MATADHALLI,
BENGALURU NORTH-03, R.T. NAGAR POST,
BENGALURU - 32.

14. MARY STELLA
W/O LATE A. FRANCIS,
AGED ABOUT 65 YEARS,
OCC: "RETD LAB ATTENDER"
AT VIDYANIKETAN HIGH SCHOOL, MATADHALLI,
BENGALURU NORTH-03, R.T. NAGAR POST,
BENGALURU - 32

15. SRI. V. RAVI KUMAR
S/O LATE V VENKATACHARI,
AGED ABOUT 52 YEARS,
OCC: "ATTENDER"
WORKING AT VIDYANIKETAN HIGH SCHOOL,
MATADHALLI, BENGALURU NORTH-03,
R.T. NAGAR POST,
BENGALURU - 32.

16. SMT. SIDDAGANGAMMA,
W/O SURESH,
AGED ABOUT 58 YEARS,
OCC: D GROUP,
WORKING AT SRI NARASIMHA SWAMY RURAL
RESIDENTIAL HIGH SCHOOL, MAGADI TALUK
BANGALORE SOUTH - 562 131.

17. SRI. DODDAVENKATESHA,
S/O HANUMANTAIAH,
AGED ABOUT 56 YEARS,
OCC: S.D.A,
WORKING AT
SRI SIDDHARATHA RESIDENTIAL HIGH SCHOOL,
MAGADI TALUK
BANGALORE SOUTH - 561 101

18. SRI. RANGEGOWDA H.R.,
S/O, LATE GANGASWAMAIAH
AGED ABOUT 60 YEARS,
OCC: RETD ASSISTANT TEACHER,
AT SRI RANGANATHA SWAMY RURAL HIGH SCHOOL,
THIPPSANDRA, MAGADI TALUK,
BANGALORE SOUTH - 562 131

19. SRI. KALAHONNAIAH,
S/O LATE DODDAHONNAIAH,
AGED ABOUT 63 YEARS,
OCC: RETD S.D.A,
AT SRI RANGANATHA SWAMY RURAL HIGH SCHOOL,
THIPPSANDRA, MAGADI TALUK,
BANGALORE SOUTH - 562 131.

20. SRI. GANGARAJU B.N.,
S/O. NAGARAJAIAH,
AGED ABOUT 61 YEARS,
OCC: RETD P.E. TEACHER,
SRI NARASHIMA SWAMY RURAL RESIDENTIAL HIGH SCHOOL, BISKUR, MAGADI TALUK,
BANGALORE SOUTH - 562 131

21. SRI. H.P. HANUMANTHAIAH
S/O PACHAGIRAIAH,
AGED ABOUT 51 YEARS,
OCC: ASSISTANT TEACHER,
WORKING AT SRI NARASHIMA SWAMY RURAL RESIDENTIAL HIGH SCHOOL,
BISKUR, MAGADI TALUK,
BANGALORE SOUTH - 562 131.

22. SRI. T.K. NARAYANA GOWDA,
S/O KEMPAIAH,
AGED ABOUT 57 YEARS,
OCC: HEAD MASTER,
WORKING AT SRI NARASHIMA SWAMY RURAL RESIDENTIAL HIGH SCHOOL,
BISKUR, MAGADI TALUK,
BANGALORE SOUTH - 562 131

23. SRI. RAMAIAH,
S/O PUJA RAMAIAH,
AGED ABOUT 52 YEARS,
OCC: S.D.C., WORKING AT SRI NARASHIMA SWAMY
RURAL RESIDENTIAL HIGH SCHOOL, BISKUR,
MAGADI TALUK, BANGALORE SOUTH - 562 131

24. SRI. SHANTHARAJU B.V.,
S/O B.K. VEERAIAH,
AGED ABOUT 55 YEARS,
OCC: CRAFT TEACHER,
WORKING AT SRI NARASHIMA SWAMY RURAL
RESIDENTIAL HIGH SCHOOL, BISKUR,
MAGADI TALUK, BANGALORE SOUTH - 562 131

25. SMT. T.S. LALITHA KUMARI,
W/O T.H. SIDDAGANGAPPA,
AGED ABOUT 70 YEARS,
OCC: RETD ASSISTANT TEACHER, AT SHREE
SIDDARTHA RESIDENTIAL HIGH SCHOOL,
MULKATTAMMA PALYA, MAGADI TALUK,
BANGALORE SOUTH - 562 131

26. SRI. SRINIVASAIAH M.G.,
S/O GOVINDAIAH,
AGED ABOUT 62 YEARS,
OCC: RETD HEAD MASTER,
AT SREE RANGANATHA SWAMY RURAL RESIDENTIAL
HIGH SCHOOL BALENAHALLY, MAGADI TALUK,
BANGALORE SOUTH - 562 131

27. SRI. H.N. SRINIVASAMURTHY,
S/O H.V. NARAYANAJIAR
AGED ABOUT 63 YEARS,

OCC: RETD D GROUP,
AT SREE RANGANATHA SWAMY RURAL RESIDENTIAL
HIGH SCHOOL BALENAHALLY, MAGADI TALUK,
BANGALORE SOUTH - 562 131

28. SRI. GANGADHARAIAH,
S/O ANDANAIAH,
AGED ABOUT 63 YEARS,
OCC: RETD CRAFT TEACHER
AT SHREE SIDDARTHA RESIDENTIAL HIGH SCHOOL
MULKATTAMMA PALYA MAGADI TALUK,
BANGALORE SOUTH - 562 131.

29. SRI. D. BABU
S/O DORAIRAJ,
AGED ABOUT 58 YEARS,
OCC: D GROUP WORKING AT SIDDHARTHA
COMPOSITE PRE-UNIVER COLLEGE
(HIGH SCHOOL SECTION), LINGARAJAPURAM,
BENGALURU DISTRICT - 560 084.

30. SRI. MALLESHAIAH S.
S/O LATE SHIVANNA,
AGED ABOUT 63 YEARS,
OCC: RETD PRINCIPAL,
AT THAKKAR BAPA P U COLLEGE,
BENGALURU - 560 091.

31. SRI. PALANETHRAIAH G.S.
S/O SRIKANTAIAH,
AGED ABOUT 62 YEARS,
OCC: "RETD P.E. TEACHER"
AT MOTHER THERESA HIGH SCHOOL,
SHANKARNAGAR, BENGALURU NORTH - 560 096.

32. SRI. S.SUNDAR
S/O SUBRAMANI,
AGED ABOUT 52 YEARS,
OCC: "D GROUP"
WORKING AT METHODIST MISSION HIGH SCHOOL
DHARMARAJ KOIL STREET, SHIVAJINAGAR,
BENGALURU NORTH RANGE 3,
BENGALURU - 560 001.

...PETITIONERS

(BY SRI. MARUTHI G.B., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY ITS SECRETARY,
DEPARTMENT OF SCHOOL EDUCATION AND
LITERACY, MULTISTORED BUILDING,
VIDHANA VEEDHI,
BENGALURU - 560 001.

2. THE COMMISSIONER,
DEPARTMENT OF SCHOOL EDUCATION AND
LITERACY, NRUPATHUNGA ROAD,
BENGALURU - 560 001.

3. PRINCIPAL ACCOUNTANT GENERAL (A & E)
P.B. NO. 5329/5369, ANNEXE BUILDING,
PARK HOUSE ROAD,
BENGALURU - 560 001.

4. THE DIRECTOR DEPARTMENT OF SCHOOL
EDUCATION (PRE-UNIVERSITY) (PUE),
18TH CROSS, MALLESHWARAM,
SAMPIGE ROAD, BENGALURU - 560 012

5. DEPUTY DIRECTOR OF PRE-UNIVERSITY EDUCATION
(DDPU)
BENGALURU NORTH,
SHRI PHALAXA T. BOYS GOVT PU COLLEGE CAMPUS,
18 TH CROSS, MALLESHWARAM,
BENGALURU NORTH - 560 009.

6. THE BLOCK EDUCATION OFFICER(BEO),
BANGALORE NORTH,
BENGALURU - 560 025.

7. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS,
BANGALORE NORTH, ADMINISTRATION,
DEPARTMENT OF PUBLIC INSTRUCTIONS,
BENGALURU NORTH - 560 009

8. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS
BANGALORE SOUTH ADMINISTRATION,
DEPARTMENT OF PUBLIC INSTRUCTIONS,
BANGALORE SOUTH - 560 002.

9. THE BLOCK EDUCATION OFFICER (BEO),
BANGALORE NORTH, BENGALURU - 560 066

10. THE BLOCK EDUCATION OFFICER(BEO),
MATADAHALLI, RT NAGAR POST,
BANGALORE NORTH RANGE - 3,
BENGALURU URBAN,
BENGALURU NORTH - 560 032.

11. THE BLOCK EDUCATION OFFICER (BEO),
NO. 250, NEAR SIVANCHETTI GARDENS,
KAMARAJ ROAD,
BENGALURU - 560 042.

12. THE BLOCK EDUCATION OFFICER,
BENGALURU NORTH -1, RAJAJINAGARA,
2ND BLOCK, BENGALURU - 560 010.

13. THE BLOCK EDUCATION OFFICER(BEO),
MAGADI TALUK, BANGALORE SOUTH - 562 131.

14. THE BLOCK EDUCATION OFFICER(BEO),
LINGARAJAPURAM, BANGALORE NORTH - 560 084.

…RESPONDENTS

(BY SMT. ASHVINI PATIL, AGA FOR R1, R2, 4 TO 14
SRI. N. AMARESH, ADVOCATE FOR R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A) DIRECTING THE RESPONDENT AUTHORITIES TO RECKON THE SERVICE RENDERED BY THE PETITIONERS FROM THEIR RESPECTIVE DATES OF INITIAL APPOINTMENT, INCLUDING THE SERVICE RENDERED PRIOR TO ADMISSION OF THEIR RESPECTIVE POSTS TO GRANT-IN-AID, FOR THE SENIORITY, PENSIONARY/ RETIRAL BENEFITS AND ALL OTHER PURPOSE OF FIXATION/ RE-FIXATION OF PAY, INCREMENTS, CONSEQUENTIAL SERVICE BENEFITS, IN ACCORDANCE WITH THE LAW DECLARED BY THIS HON'BLE COURT IN W.A.NO.2476/2015 AND CONNECTED MATTERS, WHICH IS MARKED AT ANNEXURE-C ETC.

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

CNR: KAHC010662112026

CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

1. Office objections are overruled in the light of submissions made, as the matter is covered.

2. Learned Government Advocate is directed to accept notice for respondents No.1, 2, 4 to 14.

3. Sri. N. Amaresh, learned counsel is directed to accept notice for respondent No.3.

4. The petitioners who are stated to be teaching and non-teaching staff serving in various aided educational institutions have filed the present petition seeking for issuance of a writ in the nature of *mandamus* to direct the respondent authorities to reckon the service rendered by the petitioners from the dates of their appointment including the service rendered prior to admission of their respective posts to grant-in-aid and have sought for extension of service benefits as may flow from the

observations made in W.A.No.2476/2015 and connected matters.

5. At the time of consideration of the matter, reliance is placed on the order passed in W.A.No.2476/2015 and connected matters dated 24.07.2026.

6. A perusal of the said order would reveal that writ petitions assailing the constitutional validity of the Act in question was allowed and W.P.No.21216/2014 and connected matters came to be allowed. The same was challenged in W.A.No.2476/2015 and connected matters.

7. Learned Government Advocate appearing for the respondents submits that while the order in writ petition was affirmed, however the nature of relief that flows to the petitioners is on the basis of the observations made in para 61 of the order in appeal. Taking note of the same and on perusal of para 61, the present petition could be disposed of.

8. Para 61 of the judgment reads as follows:

> *"61. It is also necessary to clarify the extent of the relief that would flow from the present judgment. The issue involved in the present batch of matters is confined to whether the service rendered by employees during the non-grant period is liable to be reckoned for the purpose of fixation of pay and other consequential service benefits. Neither the provisions governing grant-in-aid nor the statutory framework casts any liability upon the State to pay salary for the period prior to admission of the post to grant-in-aid. As produced supra, Annexure-I of Rules, 1999 would make it abundantly clear that the management shall be liable for payment of salary and other benefits till the date such posts are admitted into grant-in-aid. The liability to pay salary during the non-grant period continues to rest upon the management of the concerned institution. Consequently, the service rendered during the said period shall be taken into account only for the purpose of notional fixation of pay as on the date of admission of the post to grant-in-aid and for extending consequential benefits such as pension and other service benefits. The employees shall not be entitled to claim arrears of salary or any other monetary benefits from the State for the period preceding the admission of the post to grant-in-aid."*

Taking note of the above, entitlement of the petitioners would be as observed by the Court in the observations contained in para 61.

9. Accordingly, the petition is allowed. Respondents No.1, 2, and 4 to 14 take note of the observations made above and reckon service of the petitioners from the date of appointment i.e., appointment pre grant-in-aid for the purpose of notional fixation of pay in order to calculate benefits such as pension and other service benefits. Such consideration to be completed within a period of six (6) months.

Accordingly, the petition is ***disposed of***.

Sd/-
(S SUNIL DUTT YADAV)
JUDGE

SKS