HC-KAR
CNR: KAHC010662132026

NC: 2026:KHC:55326
WP No. 30394 of 2026

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. 30394 OF 2026 (S-RES)

BETWEEN:

1. SRI. MANJUNATHA G.
S/O GANGARAJAPPA,
AGED ABOUT 47 YEARS,
OCC: ASSISTANT TEACHER,
WORKING AT IQRA URDU HPS,
MILLAT NAGAR, KOLAR TALUK,
KOLAR DISTRICT - 563 101.

2. NAZIMA S.A.
W/O LATE MAHAMMED MUNEER AHMED
AGED ABOUT 51 YEARS,
OCC: ASSISTANT TEACHER,
WOKING AT IQRA URDU HPS,
MILLAT NAGAR, KOLAR TALUK,
KOLAR DISTRICT - 563 101.

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Location: HIGH COURT OF KARNATAKA

3. ANJUM FARIYA
W/O MUKARAM PASHA,
AGED ABOUT 48 YEARS,
OCC: ASSISTANT TEACHER,
WORKING AT IQRA URDU HPS,
MILLAT NAGAR KOLAR TALUK,
KOLAR DISTRICT - 563 101.

4. FARZANA PERVEEN,
W/O ABDUR RAHMAN,

AGED ABOUT 45 YEARS,
OCC: ASSISTANT TECHER,
WORKING AT IQRA URDU HPS,
MILLAT NAGAR KOLAR TALUK,
KOLAR DISTRICT - 563 101.

5. SARWAT UNNISA,
W/O MUSHTAQ AHMED,
AGED ABOUT 64 YEARS,
OCC: RETIRED ASSISTANT TEACHER,
AT IQRA URDU HPS,
MILLAT NAGAR, KOLAR TALUK,
KOLAR DISTRICT - 563 101.

6. HASEEN TAJ,
W/O SAIF ULLA SHARIFF,
AGED ABOUT 61 YEARS,
OCC: RETIRED ASSISTANT TEACHER,
AT IQRA URDU HPS, MILLAT NAGAR
KOLAR TALUK, KOLAR DISTRICT - 563 101.

7. R. JAMEEL PASHA,
AGED ABOUT 61 YEARS,
S/O RAHEEM SAB,
OCC: RETIRED P.E. TRACHER,
AT IQRA URDU HPS,
MILLAT NAGAR KOLAR TALUK,
KOLAR DISTRICT - 563 101.

8. SMT. HEMAVATHI V.
W/O VENKATEGOWDA,
AGED ABOUT 45 YEARS,
OCC: GROUP D
WORKING AT BHAPUJI HIGH SCHOOL,

TAKEL ROAD, KOLAR TALUK,
KOLAR DISTRICT - 563 101.

9. SRI. V. THIPPEGOWDA,
S/O K. VEERAPPA,
AGED ABOUT 68 YEARS,
OCC: RETIRED P.E. TEACHER,
AT MATRUBHUMI HIGH SCHOOL KODIKANNUR,
ARHALLI POST,
KOLAR TALUK AND DISTRICT - 563 101.

10. SRI PRAKASH R
S/O RAMAPPA V.
AGED ABOUT 56 YEARS,.
OCC: ASSISTANT TEACHER,

11. SRI. SATISH S.N.
S/O NYANAPPA S.
AGED ABOUT 51 YEARS,
OCC: ASSISTANT TEACHER,

12. SRI. BYRE GOWDA A.
S/O ASWATHAPPA,
AGED ABOUT 55 YEARS,
OCC: ASSISTANT TEACHER,

13. SMT. PARVATHAMMA N.V.
W/O SHANKHARAPPA M.
AGED ABOUT 46 YEARS,
OCC: ASSISTANT TEACHER,

14. SMT. NAGARATHNAMMA C.
W/O CHANDRAPPA K.V.,
AGED ABOUT 47 YEASRS,
OCC: ASSISTANT TEACHER,

PETITIONERS NO.10 TO 14 ARE WORKING AT
ARUNODAY HPS
VISHWANAGARA (KYLANUR CROSS)
KOLAR TALUK AND DISTRICT - 563 101.

15. SRI. PRABAKARA D.N.
S/O NARAYANASWAMY,
AGED ABOUT 51 YEARS,
OCC: ASSISTANT TEACHER,
WORKING AT ROSHAN HPS,
AKSHANAGARA, CB PURA ROAD,
KOLAR - 563 101.

16. SRI. G.V. SRINIVAS
S/O LATE VENKATAPPA,
AGED ABOUT 65 YEARS,
OCC: RETIRED KANNADA TEACHER
SRI CHOWDESHWARI HIGH SCHOOL,
AMMANALLUR, KOLAR TALUK
KOLAR DISTRICT - 563 128.

17. SRI. V SRINIVAS
S/O LATE VENKATAPPA,
AGED ABOUT 61 YEARS,
OCC: "RETD PHYSICAL TEACHER"
AT SRI CHOWDESHWARI HIGH SCHOOL,
AMMANALLUR, KOLAR TALUK,
KOLAR DISTRICT - 563 128.

18. SRI. T. MUNIVENKATASWAMY
S/O A.K. YALAGAPPA,
AGED ABOUT 56 YEARS,
OCC: "HEAD MASTER"
WORKING AT SRI CHOWDESHWARI HIGH SCHOOL,

AMMANALLUR, KOLAR TALUK,
KOLAR DISTRICT - 563 128.

19. SMT. SUNANDAMMA
W/O NARAYAN REDDY,
AGED ABOUT 57 YEARS,
OCC: SRI CHOWDESHWARI HIGH SCHOOL,
AMMANALLUR, KOLAR TALUK
KOLAR DISTRICT - 563 128.

20. SRI. T.V. CHICKAPPAIAH,
S/O VENKATRAYAPPA,
AGED ABOUT 55 YEARS,
OCC: "ASSISTANT TEACHER"
WORKING AT SRI CHOWDESHWARI HIGH SCHOOL,
AMMANALLUR, KOLAR TALUK
KOLAR DISTRICT - 563 128.

21. SRI. G.R. KUMAR
S/O GOPALSWAMI,
AGED ABOUT 55 YEARS,
OCC: "DRAWING TEACHER"
WORKING AT SRI CHOWDESHWARI HIGH SCHOOL,
AMMANALLUR, KOLAR TALUK
KOLAR DISTRICT - 563 128.

22. SRI. B. SATTYANARAYAN
S/O A BALAPPA,
AGED ABOUT 57 YEARS,
WORKING AT SRI CHOWDESHWARI HIGH SCHOOL,
AMMANALLUR, KOLAR TALUK
KOLAR DISTRICT - 563 128.

23. SRI. T.V ENKATESH GOWDA
S/O G.B. THIMMAREAYA GOWDA
AGED ABOUT 61 YEARS,
OCC: "RETD ASSISTANT TEACHER"
AT SRI VIVEKANAND SMARAKA VIDYA SAMASHE
MASTI, MALUR TALUK,
KOLAR DISTRICT - 563 139.

24. SRI. VENKATARAMANAPPA M.
S/O MUNI THAYAPPA
AGED ABOUT 60 YEARS,
OCC: "RETD GROUP D"
AT GOUTHAM HIGH SCHOOL, HANUMANTHA NAGARA
MASTI ROAD, MALUR TALUK,
KOLAR DISTRICT - 563 139.

25. SRI. MANJUNATHA S.C.
S/O S.C. CHODAPPA
AGED ABOUT 58 YEARS,
OCC: "ASSISTANT TEACHER"
WORKING AT GOUTHAM HIGH SCHOOL
HANUMANTHA NAGARA MASTI ROAD,
MALUR TALUK, KOLAR DISTRICT - 563 139

26. SMT. SUMITRAMMA R
W/O S.C. DWARAKINATH
AGED ABOUT 56 YEARS,
OCC: "GROUP D" WORKING AT
GOUTHAM HIGH SCHOOL HANUMANTHA NAGARA
MASTI ROAD, MALUR TALUK,
KOLAR DISTRICT - 563 139.

27. SRI. C. NAGARAJU
S/O CHINNAPPA

AGED ABOUT 66 YEARS,
OCC:0 RETD GROUP D
WORKING AT SUBHASH HIGH SCHOOL
KARANJIKATTE, KOLAR TALUK,
KOLAR DISTRICT - 563 101.

28. SMT. MANJULA B.V.
S/O VIRABHADRAYYA
AGED ABOUT 59 YEARS,
OCC: ASSISTANT TEACHER WORKING AT
SUBHASH HIGH SCHOOL KARANJIKATTE,
MULBHAGAL TALUK, KOLAR DISTRICT - 563 131.

29. SMT. MANJULA K.M
D/O MUNEGOWDA
AGED ABOUT 56 YEARS,
OCC: "GROUP D"
WORKING AT SUBHASH HIGH SCHOOL,
KARANJIKATTE, MULBHAGAL TALUK,
KOLAR DISTRICT - 563 131.

30. SRI. KALACHARI V
S/O VENKATESHACHARY
AGED ABOUT 62 YEARS,
OCC: "RETD GROUP D"
MATHRU BHOOMI HIGH SCHOOL,
KODIKANNURU, KOLAR TALUK,
KOLAR DISTRICT - 563 101.

31. SRI. DHANANJAYA M.R.
S/O RAMAKRISHNAPPA
AGED ABOUT 44 YEARS,
OCC: "ASSISTANT TEACHER"
WORKING AT K.R. KANNADA HIGH PRIMARY SCHOOL

KOLAR TALUK,
KOLAR DISTRICT - 563 101.

32. SRI. CHIKKA RAMAIAH.D
S/O DODDANN ALIYAS DODDAPPA
AGED ABOUT 58 YEARS,
OCC: "ASSISTANT TEACHER"
WORKING AT K.R. KANNADA HIGH PRIMARY SCHOOL,
KOLAR TALUK, KOLAR DISTRICT - 563 101.

33. SMT. PARVATHAMMA
W/O SYED ABDUL WAJID
AGED ABOUT 58 YEARS,
OCC: "ASSISTANT TEACHER"
WORKING AT K.R. KANNADA HIGH PRIMARY SCHOOL, MAVELI MOHALLA,
KOLAR TALUK, KOLAR DISTRICT - 563 101.

34. CHOWDAMBA MURTHY
S/O A BASAVACHARI
AGED ABOUT 60 YEARS,
OCC: "RETD GROUP D",
AT AL-AMEEN ANJUMAN HIGH SCHOOL,
KOLAR TALUK, KOLAR DISTRICT - 563 101.

35. SRI. A.R. CHANDRAPPA,
S/O RAMAPPA
AGED ABOUT 64 YEARS,
OCC: "RETD ASSISTANT TEACHER"
AT AL AMEEN ANJUMAN HIGH SCHOOL,
KOLAR TALUK,
KOLAR DISTRICT - 563 101.

36. SRI. B.N. MANJUNATH
S/O M NARAYANAPPA,
AGED ABOUT 51 YEARS,
OCC: ASSISTANT TEACHER,
WORKING AT RAMA MAADHAVA HIGH SCHOOL
TOREHALLI, MALUR TALUK,
KOLAR DISTRICT - 563 130.

37. SRI. SHIVAJIRAO V.,
S/O VENKOBARAO (LATE),
AGED ABOUT 63 YEARS,
OCC: RETD DRAWING TEACHER,
AT GOWTHAMA HIGH SCHOOL,
HANUMANTHA NAGAR, MALUR TALUK,
KOLAR DISTRICT - 563 139.

38. SRI. SRINIVASA,
S/O M. MINIPOTHAPPA,
AGED ABOUT 58 YEARS,
OCC: LECTURER IN COM,
WORKING AT SRI MARUTHI PU COLLEGE,
MALUR TALUK, KOLAR DISTRICT - 563 130.

39. SRI. MUNIYAPPA M.,
S/O MUNIYAPPA,
AGED ABOUT 63 YEARS,
OCC: RETD KANNADA LECTURER,
SRI MARUTHI PU COLLEGE,
MALUR TALUK, KOLAR DISTRICT - 563 130.

40. SRI. NAGARAJA,
S/O KAKANNA,
AGED ABOUT 61 YEARS,
OCC: RETD KANNADA LECTURER,

SRI MARUTHI PU COLLEGE,
MALUR TALUK, KOLAR DISTRICT - 563 130.

41. SMT. L. MANJULAMMA,
D/O LAXMANNA K,
AGED ABOUT 53 YEARS,
OCC: ASSISTANT TEACHER,
WORKING AT SHUBASH HIGH SCHOOL,
KARANJIKATTE, KOLAR TALUK,
KOLAR DISTRICT - 563 101.

42. SMT. M. VANAJAKSHI,
D/O MUNIVENKATAPPA,
AGED ABOUT 53 YEARS,
OCC: ASSISTANT TEACHER,
WORKING AT SHUBASH HIGHER PRIMARY SCHOOL,
KARANJIKATTE, KOLAR TALUK,
KOLAR DISTRICT - 563 101.

…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,
BANGALORE - 560 001.

2. THE COMMISSIONER,
DEPARTMENT OF SCHOOL EDUCATION AND
LITERACY, NRUPATHUNGA ROAD,
BANGALORE - 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,
BANGALORE NORTH - 560 009.

6. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS
(DDPI), ADMINISTRATION,
DEPARTMENT OF PUBLIC INSTRUCTIONS,
KOLAR - 563 101.

7. THE BLOCK EDUCATION OFFICER (BEO),
KOLAR TALUK,
KOLAR DISTRICT - 563 101.

8. THE BLOCK EDUCATION OFFICER,
MALUR TALUK,
KOLAR DISTRICT - 563 139

9. THE BLOCK EDUCATION OFFICER,
MULABAGAL TALUK,
KOLAR DISTRICT - 563 131

10. THE BLOCK EDUCATION OFFICER,
KOLAR TALUK,
KOLAR DISTRICT - 563 128

…RESPONDENTS

(BY SMT. MAMATHA SHETTY, AGA FOR R1, 2, 4 TO 10

SRI. N. AMARESH, ADVOCATE FOR R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO 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 PURPOSE OF FIXATION/ RE-FIXATION OF PAY, INCREMENTS, SENIORITY, PENSIONARY/ RETIRAL BENEFITS AND ALL OTHER CONSEQUENTIAL SERVICE BENEFITS, IN ACCORDANCE WITH THE LAW DECLARED BY THIS HONBLE COURT IN W.A.NO.2476/2015 AND RELAVANT PORTION CONNECTED MATTERS, WHICH IS MARKED AT ANNEXURE-B.

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

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

ORAL ORDER

1. Learned Additional Government Advocate accepts notice for respondents No.1, 2, 4 to 10.

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

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. Accordingly, the petition is allowed. Respondents No.1, 2 and 4 to 10 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