HC-KAR
NC: 2026:KHC:55271
WP No. 30509 of 2026
CNR: KAHC010665792026

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. 30509 OF 2026 (S-RES)

BETWEEN:

1. RENUKAMMA H.R.,
D/O M. OMKARAPPA,
AGED ABOUT 64 YEARS,
R/AT NO.19/2, 4TH MAIN,
SRIKANTESHWARA NAGAR,
NANDINI LAYOUT,
BENGALURU - 560 009

2. GEETHANJALI K.,
D/O RAMAKOTIAH K.,
AGED ABOUT 62 YEARS,
OCC: RETIRED LECTURER.
R/AT NO.26/10, BDA APPARTMENTS
MF 26/10 Z BLOCK,
OPP: POLICE STATION NANDINI LAYOUT,
BENGALURU - 560 096.

3. RAVI S C,
S/O CHANDRAYA SETTY,
AGED ABOUT 61 YEARS,
OCC: RETIRED LECTURER.
R/AT NO.2715/7, SRICHANDANA NILAYA,
3RD CROSS, SIR M V LAYOUT,
BENGALURU - 560 056.

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

4. ANGHA V. ATHANIKAR,
W/O VIJAYA KUMAR R A,
AGED ABOUT 60 YEARS,
OCC: RETIRED LECTURER.
R/AT NO.883, 1ST C MAIN ROAD,
2ND STAGE NAGARABHAVI, 9TH BLOCK,
BENGALURU - 560 072.

5. VINUTHA H.S.,
D/O H.P. SIDDARAJAIAH,
AGED ABOUT 59 YEARS,
OCC: LECTURER.

6. MAZHAR UNNISA,
D/O SYED GHOUSE,
AGED ABOUT 59 YEARS,
OCC: LECTURER.

7. VARALAKSHMI B,
D/O K. BALAKRISHNA REDDY,
AGED ABOUT 55 YEARS,
OCC: LECTURER.

8. PUSHPAVATHI S.K.,
W/O MANJUNATH H.M.,
AGED ABOUT 60 YEARS,
OCC: RETIRED SDA.
R/AT NO.2103, 31ST CROSS,
6TH MAIN ROAD, D GROUP LAYOUT,
NAGARABAVI, 2ND STAGE, BENGALURU - 560 072.

PETITIONERS NO.1 TO 8 ARE WORKING AT
R.P.A. COMPOSITE P.U. COLLEGE, RAJAJINAGARA,
6TH BLOCK, BENGALURU - 560 010.

9. NAVAMANI I,
W/O S. JOHN,
AGED ABOUT 63 YEARS,
OCC: RETIRED LECTURER.
W/A SJR PU COLLEGE,
RACE COURSE ROAD,
BANGALORE - 560 009.
R/AT NO.1423, 5TH BLOCK,
SIR M VISHWESHWARAIAH LAYOUT,
BENGALURU SOUTH - 560 056.

10. DR. SHOBHA S.,
W/O DR. KUMAR G SANNAD,
AGED ABOUT 64 YEARS,
OCC: LECTURER
W/A ADARSHA PU COLLEGE,
R.T. NAGAR, BANGALORE - 560 032.

11. SREEDHARA B.K.,
S/O B. KRISHNAMURTHY,
AGED ABOUT 47 YEARS,
OCC: LECTURER,
W/A ADARSHA PU COLLEGE,
R.T. NAGAR, BANGALORE - 560 032

12. M D SHANKARAPPA
S/O DURGAPPA,
AGED ABOUT 60 YEARS,
OCC: D GROUP,
W/A NETHAJI HIGH SCHOOL,
MUKTHANALLURU, ANEKAL TALUK,
BENGALURU

13. T C MUNISWAMY GOWDA
S/O CHIKKAMUNIYAPPA
AGED ABOUT 58 YEARS,
OCC: ASST MASTER.
R/AT ARUNODAYA AIDED HIGH SCHOOL,
KAMAKSHIPURA, YELAHANKA TALUK,
BENGALURU URBAN.

14. UJJINAPPA B
S/O BASAPPA
AGED ABOUT 62 YEARS,
OCC: RETIRED ASST MASTER.
W/A SHUBHODAYA HIGH SCHOOL,
N S PALYA, B G ROAD,
BENGALURU.
R/A NO.13/1, SRI MURUDA BASAVESHWARA NILAYA,
1ST MAIN, HOMMADEVANAHALLI,
OPP. ST'XEVIER HIGH SCHOOL,
GOTTIGERE, BENGALURU - 560 083.

15. B CHOWDEGOWDA
S/O BASAVAIAH
AGED ABOUT 59 YEARS,
OCC: ASST TEACHER,
W/A SHUBHODAYA HIGH SCHOOL,
NS PALYA, B G ROAD,
BENGALURU.

16. B BHAGYALAKSHMI
D/O L V BHADRACHAR
AGED ABOUT 60 YEARS,
OCC: RETIRED ASST TEACHER,
W/A SHUBHODAYA HIGH SCHOOL,
NS PALYA, B G ROAD, BENGALURU.

R/A NO.8/9, NEAR SUBHODAYA HIGH SCHOOL,
NS PALYA, B G ROAD, BTM LAYOUT,
BENGALURU

…PETITIONERS

(BY SRI. CHANDRASHEKAR G.M.,ADVOCATE)

AND:

1. THE PRINCIPAL SECRETARY,
   DEPARTMENT OF SCHOOL EDUCATION AND
   LITERACY, M.S BUILDING,
   DR. AMBEDKAR VEEDHI,
   BANGALORE - 560 001,

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

3. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS
   BANGALORE NORTH (ADMINISTRATION)
   DEPARTMENT OF PUBLIC INSTRUCTIONS,
   KG ROAD, OPP KAVERI BHAVAN,
   BENGALURU - 560 002

4. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS
   BANGALORE SOUTH (ADMINISTRATION)
   DEPARTMENT OF PUBLIC INSTRUCTIONS,
   DISPENSARY ROAD, KALASIPALYA,
   BENGALURU - 560 002.

5. THE DIRECTOR
   DEPARTMENT OF SCHOOL EDUCATION
   (PRE UNIVERSITY) 18TH CROSS, SAMPIGE ROAD,

MALLESHWARAM,
BANGALORE - 560 012

…RESPONDENTS

(BY SMT. ASHVINI PATIL, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT AUTHORITIES TO CONSIDER THE REPRESENTATION DATED 28.08.2026 VIDE ANNEXURE-C AND GRANT THE FINANCIAL SERVICE BENEFITS IN FAVOUR OF THE PETITIONERS AS PER THE ORDER DATED 10.07.2015 IN WP NO.21216/2014 AND WA NO.2467/2015, WA NO.2476/2015 AND CONNECTED MATTERS PASSED BY THE LEARNED SINGLE JUDGE AND HON'BLE DIVISION BENCH OF HIGH COURT OF KARNATAKA. VIDE ANNXURE-A AND 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. The learned Government Advocate accepts notice for the respondents.

2. The petitioners have filed the present petition and have sought for a direction to the respondent authorities to consider the representation which is in the

nature of a legal notice issued on behalf of the Employees at Annexure-C, and to grant benefits in terms of the observations made in WP No.21216/2014 as well as observations made in WA No.2467/2015. In terms of Annexure-C, the petitioners have sought for appropriate service benefits by reckoning non-grant period as well which period it is stated may be taken note of for the purpose of seniority and other benefits.

3. 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.

4. 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.

5. 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.

6. 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.

7. Accordingly petition is allowed. Respondents No.1, 2 and 5 are directed to take note of the observations made above and reckon services of the petitioners from the date of appointment i.e. appointment pre grant-in-aid for the purpose of extending benefits as would flow from para 61 of the order in writ appeal mentioned above.

8. Needless to state, the respondents to complete consideration and pass appropriate orders within a period of six months.

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

Sd/-
(S SUNIL DUTT YADAV)
JUDGE

SKS