IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF APRIL, 2026

PRESENT

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

AND

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 35190 OF 2024 (S-KSAT)

BETWEEN:

SMT. JYOTHI
W/O VASUDEV KARADGI,
AGED ABOUT 58 YEARS,
DEPUTY SECRETARY TO THE GOVERNMENT,
KARNATAKA GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,
BENGALURU-560001.

...PETITIONER

(BY SRI. SATISH K., ADV.)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS CHIEF SECRETARY,
VIDHANA SOUDHA, BENGALURU-560001.

2. THE SECRETARY TO GOVERNMENT
DEPARTMENT OF PERSONNEL AND
ADMINISTRATIVE REFORMS,
VIDHANA SOUDHA, BENGALURU-560061.

3. THE SECRETARY TO GOVERNMENT
DEPARTMENT OF FOOD AND CIVIL SUPPLIES,
CONSUMER AFFIARS AND LEGAL METEOROLOGY,
VIKASA SOUDHA,
BENGALURU-560001.

...RESPONDENTS

(BY SRI. REUBEN JACOB, AAG A/W
SRI V SHIVAREDDY, AGA)

Digitally signed by NANJUNDACHARI
Location: HIGH COURT OF KARNATAKA

THIS PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE

NATURE OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OR ORDER OR DIRECTION, SETTING ASIDE THE IMPUGNED ORDER OF THE KSAT IN APPLICATION NO.1884 AND 1885/2024 DATED 12.11.2024 TO THE EXTENT THAT SO FAR AS DEPARTMENTAL PROCEEDINGS ARE CONCERNED, THE RESPONDENT AUTHORITIES CAN CONTINUE THE SAME AT ANNEXURE-C AND ETC.

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

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
AND
HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

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

Heard learned counsel Sri.K.Satish for petitioner, learned Additional Advocate General Sri.Reuben Jacob along with learned Additional Government Advocate Sri.V.Shivareddy for respondents.

2. Petitioner is before this Court questioning the order dated 12.11.2024 in Application No.1884 & 1885 of 2024 passed by Karnataka State Administrative Tribunal at Bengaluru (for short 'the Tribunal'), challenging a portion of the order wherein, the Tribunal had observed that so far as the departmental inquiry proceedings are concerned, the respondent authorities can continue the same.

3. Learned counsel Sri.K.Satish would submit that though the Tribunal directed consideration of petitioner's case for promotion, as there was no impediment for consideration of promotion of the petitioner as on the date of DPC i.e., 17.10.2020, that the charge memo under Rule 12 of Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 (for short, 'CCA Rules') was issued only on 03.04.2021, which cannot be a reason to deny the promotion to the petitioner.

4. However, when the learned Additional Advocate General was queried as to why the Tribunal order was not complied, he submitted that if a week's time is granted, he would see that Tribunal's order is complied. Accordingly, memo dated 16.04.2026 is filed enclosing notification bearing No.ಸಿಆಸುಇ 10 ಸಶುಇ 2020 dated 15.04.2026, wherein the petitioner is promoted as Joint Secretary to Karnataka Government with retrospective effect from the date her juniors were promoted on 29.10.2020 under the

Karnataka State Civil Services (Regulation of Promotion, Pay and Pension) Rules, 1978.

5. Insofar as the articles of charge are concerned, learned counsel Sri.K.Satish would submit that the charges are flimsy and as the charge is issued under Rule 12 for imposing minor penalty, there cannot be a ground to deny the promotion and further submits that the charge would not require any enquiry since the alleged charge is non-handing-over of certain files, which is not serious in nature.

6. However, learned Additional Advocate General Sri.Reuben Jacob would submit that withholding files after her transfer would amount to misconduct and if the charge is proved in the enquiry, the petitioner would be liable for imposition of punishment.

7. However, learned counsel Sri.K.Satish would submit that though the charge memo is issued in the year 2021, no progress has been made in the enquiry. Learned Additional Advocate General Sri.Reuben Jacob would

submit that the charge memo was stayed by this Court in the present writ petition. Hence, the State could not proceed with the enquiry.

8. Be that as it may, Learned Additional. Advocate General Sri.Reuben Jacob would submit that the State would complete the enquiry if 3 months time is given.

9. The said submission of the learned Additional Advocate General is placed on record.

10. The respondents are directed to complete the enquiry within another 3 months from uploading of the order in the High Court Website.

11. Learned counsel Sri.K.Satish would submit that on 23.11.2023, the juniors of the petitioner are promoted to the next higher cadre, i.e., Additional Secretary and as such, the case of the petitioner is also required to be considered for promotion to the cadre of Additional Secretary.

12. However, we notice that as on the date of juniors promotion to the cadre of Additional Secretary i.e., on 23.11.2023, the charge memo against the petitioner was in place. Further, promotion of the petitioner to the post of Additional Secretary would depend on the outcome of the pending enquiry and it is for the petitioner to work out remedies in accordance with law.

13. With the above, writ petition stands ***disposed of***.

Sd/-
(S.G.PANDIT)
JUDGE

Sd/-
(K. V. ARAVIND)
JUDGE

NC
CT:bms
List No.: 1 Sl No.: 4