



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 153 OF 2026 (S-RES)

BETWEEN:

SRI. T. GANGIAH,
S/O. SRI. THIMMAIAH,
AGED ABOUT 75 YEARS,
RETD., REVENUE OFFICER,
BRUHAT BANGALORE
MAHANAGARA PALIKE (BBMP),
R/AT. NO. 1419,
NEAR GANESHA TEMPLE,
INDIRANAGARA, NELAMANGALA,
BENGALURU RURAL DISTRICT - 562 123.

...APPELLANT

(BY SRI. DINESH S K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY
ITS SECRETARY,
DEPARTMENT OF
URBAN DEVELOPMENT,
M.S.BUILDING,
BENGALURU - 560 001.
2. THE DIRECTOR OF
MUNICIPAL ADMINISTRATION,
VISHVESHWARAIHA TOWER,
BENGALURU - 560 001.





3. THE COMMISSIONER,
BRUHAT BENGALURU
MAHANAGARA PALIKE (BBMP),
HUDSON CIRCLE,
BENGALURU - 560 002.

...RESPONDENTS

(BY SRI.M.N. SUDEV HEGDE,AGA FOR R1 AND R2)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE THE ORDER DATED:30.08.2025 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN WP NO.18171/2025 AND ALLOW THE SAID WRIT PETITION.

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present intra Court appeal has been filed impugning the judgment and order dated 30.08.2025 passed by the Writ Court in W.P.No.18171/2025 filed by the petitioner seeking following reliefs:

"1. Directing the respondents to step up the pay of the Petitioner with that of KMAS pay scale by considering his representation dated 07.12.2018 vide ANNEXURE-E.



2. Further grant any such other relief that this Hon'ble deems fit to grant in the interest of justice and equity."

2. The petitioner retired from service long back i.e., 31.01.2008 and after lapse of 17 years, he approached the High Court seeking a direction to the respondents to step up his pay to that of Karnataka Municipal Administrative Service pay scale, by considering the representation, which was filed after 10 long years from the date of retirement i.e., 07.12.2018.

3. The learned Single Judge having noted these aspects and relying on the judgment of the Supreme Court in ***Chairman/Managing Director, Uttar Pradesh Power Corporation Limited and others Vs. Ram Gopal¹***, dismissed the writ petition on the ground of inordinate delay and laches.

4. Recently the Supreme Court in ***Chief Executive Officer and others Vs. S. Lalitha and***

¹ (2021) 13 SCC 225



others² has held that *except in cases where final orders are passed on appeals/revisions/memorials/representations which are statutorily provided, limitation for the purpose of filing an original application under Section 19 of the Administrative Tribunals Act, 1985 and under Sections 21 and Section 20 thereof, has to be reckoned keeping in mind the date of accrual of the cause of action and the proximity of the date of the representation, and the period of one year for filing an original application has to be counted from the date of expiry of six months from date of such representation if no order were passed thereon. The cause of action cannot be deferred by making a highly belated representation and awaiting its outcome.*

5. The petitioner retired from service on 31.01.2008. The cause of action, therefore if any, was before the Officer retired on such date. The petitioner has made representation 10 years after his date of retirement for stepping up his pay. Making representation will not

² 2025 SCC Online SC 916



postpone the date of cause of action. Even in the year 2021 that is, 17 years of the date of retirement and 7 years from the date of his representation, such a claim could not be considered at all and therefore the learned Single Judge is right in dismissing the writ petition.

6. We find no reason to interfere with the impugned judgment and order passed by the learned Single Judge. Therefore, the writ appeal stands ***dismissed***.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

RR
List No.: 1 Sl No.: 3
ct-vn