



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 23RD DAY OF FEBRUARY, 2026
PRESENT
THE HON'BLE MR. JUSTICE S.G.PANDIT
AND
THE HON'BLE MR. JUSTICE K. V. ARAVIND
WRIT PETITION NO. 4917 OF 2026 (S-KSAT)

BETWEEN:

1. THE STATE OF KARNATAKA,
REP. BY ITS ADDL. CHIEF SECRETARY,
DEPARTMENT OF URBAN DEVELOPMENT,
VIKASA SOUDHA,
BENGALURU-560 001.
2. THE ADDL. CHIEF SECRETARY,
DEPARTMENT OF PUBLIC WORKS,
VIKASA SOUDHA,
BENGALURU-560 001.
3. THE CHIEF ENGINEER,
COMMUNICATIONS AND
BUILDINGS (SOUTH)
PWD, K.R. CIRCLE,
BENGALURU-560 001.
4. THE CHIEF ENGINEER,
CENTRAL MECHANICAL ORGANIZATION,
NOW DESIGNATED AS THE DAM
SAFETY ORGANIZATION,
ANANDARAO CIRCLE,
BENGALURU-560 001.

...PETITIONERS

(BY SRI. REUBEN JACOB, AAG A/W
SRI VIKAS ROJIPURA, AGA)





AND:

1. VENKATESH. B.M.,
S/O. B.M. MUSALAIHAH,
AGED ABOUT 67 YEARS,
THE THEN ASSISTANT EXECUTIVE ENGINEER
(NOW RETIRED),
BBMP, VASANTHANAGAR SUB DIVISION,
BANGALORE-560 079
AND NOW R/AT HOUSE NO.18,
SYNDICATE BANK COLONY,
VIJAYANAGAR NORTH,
BENGALORE -560 079.
2. THE ACCOUNTANT GENERAL (A AND E)
KARNATAKA,
BENGALURU-560 001.

...RESPONDENTS

(BY SRI. RAVIKIRAN P PAWAR, ADV. FOR C/R1)

THIS PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS RELATING TO ORDER DATED 24/09/2024 IN APPLICATION NO.1808/2024 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, BENGALURU; ISSUE AN APPROPRIATE WRIT OR ORDER OR DIRECTION QUASHING THE IMPUGNED ORDER DATED 24/09/2024 IN APPLICATION NO.808/2024 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, BENGALURU, IN SO FAR AS IT RELATES TO RELEASE ADMISSIBLE INTEREST ON THE WITH HELD PENSIONARY AND DCRG BENEFITS VIDE ANNEXURE-A.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, 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 Additional Advocate General Sri.Reuben Jacob along with Sri.Vikas Rojipura, learned Additional Government Advocate, for petitioners and learned counsel Sri.Ravikiran P. Pawar for Caveator/respondent No.1.

2. The State is before this Court, aggrieved by a portion of the order dated 24.09.2024 in Application No.1808/2024 passed by the Karnataka State Administrative Tribunal at Bengaluru (for short, 'the Tribunal') insofar as directing payment of interest on the belated payment of pensionary benefits.

3. Learned Additional Advocate General Sri.Reuben Jacob would submit that in pursuance to the order of the Tribunal, entire pensionary benefit i.e., DCRG, leave encashment etc., has been paid to the respondent No.1 on 16.12.2024 and 04.02.2025. However, it is



submitted that the interest on delayed payment of pensionary benefit is not paid in view of the Government order dated 13.09.1994 and subsequent Government orders governing the payment of interest on the belated payment of pensionary benefits. He invites attention of this Court to Clause 2(b) of Government order dated 13.09.1994 and submits that unless one is exonerated of all the charges, he would not be entitled for interest.

4. Further, learned Additional Advocate General would submit that a charge memo was issued to the respondent along with several others and the said articles of charge was the subject matter of application before the Tribunal in Application No.837/2022 and the said application was allowed by order dated 27.05.2023 quashing the articles of charge. However, he submits that the said impugned order passed by the Tribunal is the subject matter of W.P.No.30871/2024, which is pending before this Court. It is the specific contention of the learned Additional Advocate General that, in view of



pendency of the above writ petition, the State has not released the payment of interest on the pensionary benefits.

5. On the other hand, learned counsel Sri.Ravikiran P. Pawar for Caveator/respondent No.1 would submit that there is no interim order in the writ petition and the State has also not preferred any writ petition against the order quashing the articles of charge. Therefore, he suggests that when the entire pensionary benefit is paid subsequent to quashing of the articles of charge, consequently, the petitioner would be entitled for interest on the belated payment of pensionary benefits. Thus, he would pray for rejecting the writ petition.

6. Having heard the learned counsel appearing for the parties and on perusal of the entire writ petition papers, we are of the considered opinion that the State authorities have not made out a ground to interfere with the order passed by the Tribunal for the following reasons:



The Tribunal considering the fact that the articles of charge is quashed by order dated 27.05.2023 in Application No.837/2022 and having taken note of the fact that DCRG and other pensionary benefits are already paid, rightly directed the payment of interest. As submitted by learned Additional Advocate General, the DCRG and other pensionary benefits have been paid on 16.12.2024 and 04.02.2025. When the State has released the withheld DCRG, the State could not have withheld the consequent interest, which the respondent No.1 would be entitled to on the belated payment of pensionary benefit in terms of the relevant Government orders.

7. As on this day, no departmental or judicial proceedings are pending against respondent No.1. Only if any departmental or judicial proceedings are pending against respondent No.1, then the State would get jurisdiction to withhold any benefit available to such retired Government servant.



8. For the reasons recorded above, we do not find any merit in the writ petition and accordingly writ petition stands ***rejected***.

9. Six weeks time granted to comply with the Tribunal's order insofar as interest is concerned.

Sd/-
(S.G.PANDIT)
JUDGE

Sd/-
(K. V. ARAVIND)
JUDGE

NC
CT:bms
List No.: 1 Sl No.: 18