

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

[MAHIKA. M. P. VS. THE STATE OF KARNATAKA AND ANOTHER]

27.03.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Statement of objections on behalf of the State has been filed in the Registry.

Heard learned Counsel for the petitioner, learned Additional Advocate General appearing for the State assisted by Ms.Mamata Shetty, learned AGA and Sri N.K Ramesh, learned Counsel appearing for the Karnataka Examinations Authority.

The argument of the learned Counsel for the petitioner is that he seeks to assail the *vires* of the *proviso* to Section 3 of the Karnataka Reservation of Appointment of Posts (in the Civil Services of the State) for Rural Candidates Act, 2000¹ inasmuch as there is no reasonable classification made between 'creamy layer' candidates of OBCs other than Category-I and the General Candidates on one hand with the Candidates belonging to the categories mentioned in the main provision itself, on the other hand. It has also stated that such classification has no reasonable nexus to the object sought to

¹ Act

be achieved. It is stated that this violates the judgment of the Supreme Court in ***Indra Sawhney v. Union of India***².

It is further urged that the English translation of Section 3 of the Act is at variance with the original Kannada version. It is his contention that the Kannada version will prevail. He has also referred to the authorized translation.

A request for interim order is made. However since we are not *prima-facie* satisfied, we decline to grant an interim order. The petitioner has applied as a General Category candidate, therefore, *prima-facie*, she would stand excluded by the *proviso* to Section 3 of the Act.

In our opinion, the matter would require further deliberation. Therefore, list the matter on 09.04.2026.

(JAYANT BANERJI)
JUDGE

(RAJESH RAI K)
JUDGE

KSR
List No.: 2 SI No.: 5

² AIR 1993 SC 477