



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 10498 OF 2024 (CS-RES)

BETWEEN:

1. KAREEM SAB D.
S/O SHAIKH MOINUDDIN
AGED ABOUT 57 YEARS,
R/A NEAR CHURCH,
BEGUMPURA PETE,
MUDAGAL
LINGASUGUR TALUK
RAICHUR DISTRICT – 584 125.

...PETITIONER

(BY SMT./ MISS. KANAKA MAHALAKSHMI D., ADVOCATE FOR
SRI. CHETHAN A.C., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
CO OPERATION DEPARTMENT,
VIKASA SOUDHA
BENGALURU – 560 001.
2. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES
URBAN BANKS DIVISION,
OFFICE OF THE REGISTRAR OF
CO-OPERATIVE SOCIETIES





NO.1 ALI ASKAR ROAD
BENGALURU – 560 001.

3. THE CHIEF EXECUTIVE OFFICER
KALYANA KARNATAKA ROAD TRANSPORT
CORPORATION
EMPLOYEES CO-OPERATIVE
CREDIT SOCIETY LTD
CENTRAL BUS STAND
RAICHUR – 584 101.
4. THE DEPUTY REGISTRAR OF CO-OPERATIVE
SOCIETIES
RAICHUR DISTRICT
OPP TALUK PANCHAYAT
STATION ROAD
RAICHUR – 584 101.

...RESPONDENTS

(BY SRI. YOGESH D. NAIK, ADVOCATE FOR R1, R2 AND R4;
SRI. M. RAVINDRANATH, ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO
QUASH THE ORDER DATED 06/02/2024 BEARING NO. UBC-
3/DIS-29C/04/2023-24 PASSED BY THE SECOND RESPONDENT
ON AN APPLICATION FILED BY THE THIRD RESPONDENT
DISQUALIFYING THE PETITIONER FROM THE DIRECTORS
POSITION FOR THE REMAINDER OF THE TERM (ANNEXURE-A);
AND ETC.



THIS PETITION, COMING ON FOR PRELIMINARY HEARING
IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS
UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

1. The petitioner filed this writ petition challenging the order dated 06.02.2024 passed by respondent No.2 on an application filed by respondent No.3 disqualifying the petitioner from the Directors position for the remaining period of term vide Annexure-A.
2. Brief facts, leading rise to the filing of this petition are as follows:
3. The petitioner was the president of Kalyana Karnataka Road Transport Corporation Employees Credit Co-operative Society, Raichur, and he refused to sign the proceedings of the General Body Meeting prepared by respondent No.3, because respondent No.3 had added his own writings contrary to the



resolutions. On a complaint by respondent No.3, show cause notice was issued to the petitioner by respondent No. 4 and the petitioner replied to the show cause notice. Thereafter, respondent No.4 forwarded the file to respondent No.2. Respondent No.2 did not consider the contentions raised by the petitioner in the reply notice and passed the impugned order vide Annexure-A. Hence, this writ petition.

4. Heard Ms.Kanaka Mahalakshmi D., learned counsel for the petitioner, and learned Additional Government Advocate for respondent Nos.1 and learned counsel for respondent No.3.
5. Learned counsel for the petitioner submits that the impugned order is passed on 06.02.2024. Though the next date of hearing was fixed on 07.02.2024, i.e., without preponing the date of hearing the respondent has passed the order on 06.02.2024, and the respondent before passing an order has not



heard the petitioner. The impugned order passed by respondent No.2 is behind the back of the petitioner and is in violation of principles of natural justice. Hence, on these grounds, she prays to allow the writ petition.

6. *Per contra*, learned counsel for the respondents fairly conceded that the matter was adjourned to 07.02.2024, but respondent No.2 has passed an order on 06.02.2024 and he submits that the impugned order, be quashed and the matter be remitted to respondent No.2 with a direction to reconsider, and pass the appropriate order after providing an opportunity of hearings to both the parties.
7. Perused the records, and considered the submissions of the learned counsel for the parties.
8. It is an undisputed fact that respondent No.3 filed a complaint against the petitioner before respondents.



Respondent No.4 issued a show cause notice calling upon the petitioner to submit an explanation to the show cause notice. Pursuant to the show cause notice, the petitioner has submitted a reply. Respondent No.4 recommended the removal of the petitioner under Section 29(c) of the Act and forwarded the file to respondent No.2. The respondent adjourned the matter to 07.02.2024. Neither the petitioner nor respondent No.3 has filed an application for advancing the date of hearing.

9. Respondent No.2 without hearing the petitioner and respondent No.3, has preponed the date from 07.02.2024 to 06.02.2024 and proceeded to pass the impugned order at Annexure-A. As rightly pointed out by the learned counsel for the petitioner, the impugned order passed by respondent No.2 is behind the back of the petitioner and is in violation of principles of natural justice. Hence, on this ground alone, the impugned order is liable to be set aside.



10. Accordingly, I proceed to pass the following order:

ORDER

- i. The writ petition is ***allowed***.
- ii. Annexure-A passed by respondent No.2 vide order dated 06.02.2024 is hereby quashed.
- iii. Respondent No.2 is directed to pass the appropriate order after giving opportunity of personal hearing to both the parties.
- iv. All the contentions of the parties are kept open.
- v. Pending IA(s), if any, shall stand disposed of accordingly.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**