



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 25TH 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. 30197 OF 2019 (S-KSAT)

BETWEEN:

THE KARNATAKA LOKAYUKTA
REPRESENTED BY ITS REGISTRAR
M S BUILDING
BANGALORE-560 001.

...PETITIONER

(BY SRI. VENKATESH S ARBATTI, ADV.)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
TO GOVERNMENT
DEPARTMENT OF FOREST,
ENVIRONMENT & ECOLOGY
M S BUILDING
BANGALORE-560 001.
2. SI MADURE GOWDA
SON OF SRI BALANNA GOWDA
AGED ABOUT 57 YEARS
WORKING AS FOREST GUARD
O/O RANGE FOREST OFFICER
MUDIGERE
CHIKKAMAGALUR DISTRICT-577 132.

RESIDING AT MUDIGERE
CHIKKAMAGALUR DISTRICT-577132.

...RESPONDENTS

(BY SRI. K.R. RAJENDRA, AGA FOR R1)





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THIS PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 30.01.2019 PASSED BY THE KARNATAKA ADMINISTRATIVE TRIBUNAL AT BANGALORE IN APPLICATION NO.6923/2015, AS PER ANNEX-A AND AWARD THE COST OF THIS WRIT PETITION.

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)

The Karnataka Lokayukta represented by its Registrar is before this Court questioning the order dated 30.01.2019 in Application No.6923/2015 passed by the Karnataka State Administrative Tribunal at Bengaluru (for short, 'the Tribunal') whereunder the respondent No.2's application is allowed, modifying the order of punishment dated 15.07.2015 (Annexure-A6) to that of compulsory retirement from the penalty of dismissal.



2. Heard learned counsel Sri.Venkatesh S. Arbatti for petitioner and learned Additional Government Advocate Sri.K.R.Rajendra for respondent No.1. perused the entire writ petition papers.

3. In addition to the grounds urged in the memorandum of writ petition, learned counsel Sri.Venkatesh S. Arbatti for the petitioner would submit that when the charge of corruption is proved against respondent No.2, the punishment of removal or dismissal is the only punishment. As such, the Tribunal could not have modified the order of punishment of dismissal to that of compulsory retirement.

4. We have carefully considered the grounds stated in the petition as well as ground urged by learned counsel Sri.Venkatesh S. Arbatti.

5. The Tribunal at paragraphs 12, 13 and 14 has assigned reasons for modification of the order of penalty from dismissal to that of compulsory retirement. Proviso to



HC-KAR



Rule 8(viii) of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 would state that in the absence of special and adequate reasons to the contrary to be mentioned in the order of the Disciplinary Authority, no penalty other than those specified in clause (vi) to (viii) shall be imposed for an established charge of corruption. In other words, for the proved misconduct of corruption, compulsory retirement is also one of the punishment. Therefore, in the light of the above, the Tribunal taking note of the entire fact situation into consideration has rightly modified the punishment.

6. Moreover, this writ petition was filed on 17.07.2019 and for the reasons best known to the petitioner – Karnataka Lokayukta has taken nearly six years to comply office objections and after compliance of office objections has brought the writ petition before this Court for Preliminary Hearing in the year 2026. It is seen that as on today, the respondent No.2 is aged more than



67 years and entertaining the writ petition at this belated stage would prejudice the case of the respondent No.2.

7. For the reasons recorded above, writ petition stands rejected.

**Sd/-
(S.G.PANDIT)
JUDGE**

**Sd/-
(K. V. ARAVIND)
JUDGE**

NC
CT:bms
List No.: 1 Sl No.: 21