



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE S.G.PANDIT

AND

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 14533 OF 2024 (S-KSAT)

BETWEEN:

THE KARNATAKA LOKAYUKTA
BY ITS REGISTRAR
M.S. BUILDINGS
DR. B.R. AMBEDKAR ROAD
BANGALORE-560 001.

...PETITIONER

(BY SRI. VENKATESH S ARBATTI, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
PUBLIC WORKS, PORTS AND INLAND
WATER TRANSPORT DEPARTMENT
VIKAS SOUDHA
BANGALORE-560 001.

2. SRI. RAMESHA
S/O GOVIND RAMAIAH
AGED ABOUT 60 YEARS
ASST. ENGINEER, PWD
R/O NO.97/A (C.H.22/A)
III MAIN, JAYANAGAR
MYSORE.

...RESPONDENTS

(BY SRI. B. RAVINDRANATH, AGA FOR R1)





THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER WRIT, ORDER OR DIRECTION IN THE NATURE OF A WRIT THEREBY QUASHING THE ORDER DATED 10.01.2019 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL AT BANGALORE IN APPLICATIONS NO.1366/2018, AS PER ANNEXURE-A AND ETC.

THIS PETITION, COMING ON FOR ORDERS, 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 K. V. ARAVIND)

Heard Sri Venkatesh S. Arbatti, learned counsel for the petitioner-Lokayukta and Sri B. Ravindranath, learned Additional Government Advocate for respondent No.1-State.

2. The Registrar, Karnataka Lokayukta is before this Court, assailing the order dated 10.01.2019 passed by the Karnataka State Administrative Tribunal, Bengaluru (for short, 'the Tribunal'), in Application No.1366/2018.

3. The brief facts of the case are that respondent No.2, while working as an Assistant Engineer in the PWD Sub-



Division, T. Narasipura Taluk, Mysuru, was the subject of a complaint lodged by one Sri T.P. Panduranga. Based on the said complaint, a trap was laid and a criminal case came to be registered against him.

3.1 Thereafter, the petitioner-Lokayukta issued a notice along with an observation note, to which respondent No.2 submitted his reply. Not being satisfied with the explanation offered, the petitioner rejected the reply and submitted a report under Section 12(3) of the Karnataka Lokayukta Act, 1984 (for short, 'the Act'), recommending entrustment of an enquiry. Pursuant thereto, the enquiry was entrusted under Rule 14A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 (for short, 'the CCA Rules'). An Enquiry Officer was appointed, who, upon conducting the enquiry, submitted a report holding the charge as proved. Thereafter, the petitioner recommended imposition of a major penalty of removal from service.

3.2 The Disciplinary Authority issued a second show-cause notice. In the meanwhile, respondent No.2 was convicted in the criminal case. However, the order of conviction came to be set



aside in Criminal Appeal No.899/2010. Thereafter, by order dated 14.02.2018, respondent No.2 was dismissed from service by way of penalty.

3.3 The said order was the subject matter of challenge before the Tribunal. The Tribunal, for the reasons recorded therein, set aside the order of dismissal dated 14.02.2018 and substituted the penalty with that of compulsory retirement. The Tribunal further directed settlement of the pension and pensionary benefits of respondent No.2 under the impugned order.

4. Sri Venkatesh S. Arbatti, learned counsel appearing for the petitioner-Lokayukta, submits that once the Tribunal had concurred with the findings recorded in the enquiry report, it committed an error in interfering with and substituting the punishment imposed. He further submits that, if the penalty/punishment imposed was found to be inappropriate, the matter ought to have been remitted to the Disciplinary Authority for reconsideration.

5. Sri B. Ravindranath, learned Additional Government Advocate appearing for respondent No.1-State, supports the



submissions made by the learned counsel for the petitioner–Lokayukta.

6. We have considered the submissions made by the learned counsel for the petitioner and the learned Additional Government Advocate appearing for respondent No.1–State.

7. Before considering the submissions we notice that the impugned order is dated 10.01.2019. The present writ petition has been filed on 29.05.2024, after a period of five years. No explanation whatsoever has been offered to account for the said delay of five years.

7.1 Though no period of limitation is prescribed for filing a writ petition, a person aggrieved is expected to exercise such right within a reasonable time. A writ petition ventilating such grievance is required to be filed at the earliest. The delay of more than five years, in the facts of the present case, cannot be said to be reasonable. In the absence of any plausible explanation, the petition suffers from gross delay and *laches*. A petition suffering from such delay and *laches* cannot be entertained.



8. Furthermore, the Tribunal, upon consideration of the nature of the charge, the evidence on record, and also the age of respondent No.2, exercised its discretion in substituting the penalty. Rule 8 of the CCA Rules prescribes penalties under clauses (vi) to (viii). In the case of proved misconduct involving corruption, compulsory retirement is also one of the prescribed punishments. The substitution of the penalty by the Tribunal is thus within the scope of the penalties leviable for proved charges of corruption. We do not find any valid or demonstrable ground to interfere with the order passed by the Tribunal.

9. In light of the above, the writ petition fails both on the ground of delay and laches and on merits. Accordingly, the writ petition is ***dismissed***.

Pending I.A., if any, stands disposed of.

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

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